



## REPORT OF

The Delegation of India to the Twelfth Session of the General  
Assembly of the United Nations

(September 1957-December 1957)

MINISTRY OF EXTERNAL AFFAIRS  
GOVERNMENT OF INDIA

# REPORT OF THE INDIAN DELEGATION TO THE TWELFTH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY, NEW YORK

(September 17, 1957 to December 14, 1957)

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## OPENING OF THE SESSION AND THE GENERAL DEBATE

The Twelfth Session of the United Nations General Assembly was declared open on the afternoon of the 17th September, 1957 at the United Nations headquarters in New York, by Prince Wan Waithayakon, President of the 11th Session. After one minute of silence dedicated to prayer or meditation, Prince Wan addressed the Assembly. He reviewed briefly the progress of the 11th session and observed that the General Assembly had work to do which took more time and more continuing effort than previously. He expressed his hope and wish that the twelfth session be blessed with every success in its deliberations for the peace, freedom, justice and welfare of mankind.

The Assembly thereupon elected, on the recommendation of the Temporary President, the following nine members of the Credentials Committee: Burma, Canada, Iceland, Liberia, Nicaragua, Panama, USSR, U.K., and the USA.

Election of the President was the next item on the agenda. Although no nominations are required under the rules of procedure, it was well-known that there were two candidates for this office. They were Sir Leslie Munro of New Zealand, and Mr. Charles Malik of Lebanon. Before the Assembly proceeded to a vote, the representative of Mexico rose on a point of order and appealed that one of the two candidates withdraw in the interests of unanimity and harmony. Mr. Malik responded to the appeal and withdrew his candidature. This gesture was greatly appreciated by various delegations, including India, and Sir Leslie Munro was elected President by 77 votes. One ballot had been cast in favour of Mr. Malik, while 3 had abstained.

Sir Leslie expressed his appreciation to the members of the Assembly for electing him to the high office; and also paid tribute to Mr. Malik for his "magnanimity".

The Assembly then admitted the Federation of Malaya as the 82nd member of the United Nations by adopting unanimously draft resolution A/3655/Rev.1 to this effect. The draft resolution had been co-sponsored by India and other members of the Commonwealth except South Africa.

## THE GENERAL DEBATE

Seventyone member States participated in the General Debate during the Twelfth Session of the General Assembly. Policy statements were made by the heads of their Delegations; among the speakers were the Prime Ministers of Canada and Peru and forty other Cabinet Ministers, including thirty-five Foreign Ministers.

Disarmament and the Middle East were the two major themes running through the debate. The Canadian Prime Minister voiced hope that the twelfth session would become known as "the Disarmament Assembly". The Indian Defence Minister also expressed his belief that even if this Assembly session were to do nothing else it would deserve well of humanity by making some small advance toward disarmament.

### United States

On September 19, the opening day of the debate, Mr. John Foster Dulles, the United States Secretary of State, spoke of the "limitation of armaments" as a difficult but essential task. According to him, the inherent difficulties were intensified by acute distrust. He felt that the great military powers could establish mutual confidence by accepting "reciprocal inspection" as a precaution against the danger of surprise attacks. Mr. Dulles called this the "heart" of the U.S.—U.K.—French—Canadian joint proposals.

In defence of nuclear tests, Mr. Dulles said that such tests were necessary to refine nuclear weapons into effective and discriminating defensive weapons, and "to eliminate the hazardous radioactive material now incident to the explosion of thermonuclear weapons." He hoped that "in the future, any needed testing can be accomplished without any material raising whatsoever of the levels of radioactivity in the world" and promised to invite the United Nations to send observers to "one of our tests so that they can see how these tests are conducted".

### USSR

Mr. Andrei A. Gromyko, the Soviet Foreign Minister, described disarmament as probably the most important problem facing the current session. He declared that the Soviet Union favoured a comprehensive settlement.

The parties to the agreement on partial steps, Mr. Gromyko declared, must make every effort to achieve agreement on the complete prohibition of atomic and hydrogen weapons and the destruction

of stocks of these weapons. Setting a five-year time limit for a "far-reaching agreement on disarmament", he proposed that the nuclear powers assume an obligation to renounce the use of nuclear weapons for this five-year period. It would be possible to revert to the consideration of this question after five years had elapsed if no agreement had been reached.

On the question of the cessation of nuclear tests, Mr. Gromyko suggested that it be considered as a separate item to reach immediate agreement. The Soviet Government proposed that the tests should be discontinued as of January 1, 1958 for a period of two to three years. According to it, an international commission should be set up to supervise compliance with the obligations regarding the suspension of the tests and should report to the Security Council and the General Assembly. This Commission would be empowered to establish control posts "on the basis of reciprocity" in the territories of the USSR, the USA, the UK and its possessions, and the Pacific, including Australia.

Mr. Gromyko endorsed India's proposal to extend the membership of the Disarmament Commission, observing that whole continents like Asia and Africa were not represented on that body, and positive results could not be expected when four of the five members of the Sub-Committee were countries of NATO, "the military grouping which bears the responsibility for the arms race". In particular, Mr. Gromyko was critical of the exclusion of the People's Republic of China from the disarmament talks, as indeed from the United Nations.

The Soviet Foreign Minister said that international co-operation could be further promoted and international tension eased if the General Assembly were to call on all states to base their relations with one another on the basis of the five principles of peaceful co-existence.

### **United Kingdom**

Mr. Selwyn Lloyd, the British Foreign Secretary, observed that, "psychologically it is the time for us to make progress" on disarmament. In seeking common ground for progress, Mr. Lloyd submitted that one of the governing conditions was that disarmament in the nuclear and conventional fields must proceed together. The two were inter-related. "A global war fought with what are conventional weapons would destroy international society just as surely as one fought with nuclear weapons".

Among other matters, Mr. Lloyd called for Soviet recognition of its responsibility for the reunification of Germany.

### **France**

M. Guillaume Georges-Picot, the Permanent Representative of France to the United Nations, reiterated French support for the disarmament proposals of the Western Powers presented at London on August 29. He added that France subscribed to the principle of "no disarmament without control". Another principle which France consistently maintained was that of progressive stages.

M. Georges-Picot devoted the first part of his address to a consideration of economic affairs. While an international agreement on disarmament would facilitate the task of aiding the economically less advanced nations, he stated, one should not await the conclusion of such an agreement before undertaking systematic action on the technical, financial and commercial levels in order to raise the standard of living of such countries. He recommended the establishment of the Special United Nations Fund for Economic Development (SUNFED) to "complete and supplement" the activities of the International Bank and of the Monetary Fund.

Turning to the question of Algeria, M. Georges-Picot declared that France did not oppose inclusion of this item in the agenda but, he specified, this attitude in no way implied a renunciation of France's fundamental rights in conformity with Article 2(7) of the Charter. France would supply full information on the true situation and would provide plans for a "peaceful, democratic and just solution" in accordance with the hope expressed by the previous Assembly.

### **India**

Concluding the debate on October 8, Shri V. K. Krishna Menon, the Defence Minister of India and Chairman of the Delegation, observed that the real problem before the United Nations was that of human survival. (The text of his speech forms an Appendix at the end of this Report). The Assembly's task was not to allocate blame or praise, he added, but to find ways of reconciliation. Shri Krishna Menon highlighted three aspects of the Indian proposals on disarmament.

The first and major aspect, according to him, was the cessation of nuclear tests, which constituted a serious danger to humanity. He proposed that each of the countries capable of carrying out test explosions should inform the Secretary-General of its willingness to

suspend them. He was against specifying any time-limit and added that a test ban could be monitored by a United Nations agency. In this connection, Shri Krishna Menon ridiculed the idea of "clean" bombs. He said that there could be no such thing as a "clean" bomb—and that it was like talking of a "humane slaughter".

Secondly, he proposed the establishment of a scientific and technical commission to recommend to the Disarmament Commission an adequate system of inspection arrangements. Such a commission might be composed of equal numbers of representatives of the two differing views, and the representatives of other States, with an arbiter chosen by agreement between the two sides. They could deal "with questions such as the time with effect from which the future production of fissionable material in all countries would be available only for peaceful purposes; an undertaking to refrain from the use of thermonuclear bombs; the dismantling of stocks for other purposes".

The third aspect, he continued, was that there should be some change in the composition of the Disarmament Commission and its sub-committee. When the latter body was set up on the initiative of India in 1953, he pointed out, it was hoped that it would be able to work around a table and not divide in two camps. But, he deplored that it "has become largely the reflection of two points of view".

Shri Krishna Menon was the first speaker in the U.N. to take note of the launching of the first Soviet earth satellite on October 4. He said that that day had ushered in the interplanetary epoch, as the atomic age had begun in April 1945 with the explosion of the first nuclear bomb. But he added that every achievement of science, while beneficial, could also be dangerous to mankind. Shri Krishna Menon observed, "Unless mankind is able to reconcile technical advance with humanity and wisdom, then there will be people who have no vision, and those who have no visions must perish".

Turning to the Middle East, Shri Krishna Menon noted that the Egyptians were proud to be running the Suez Canal and it had never been run so well. He complimented Egypt for making itself, of its own free will, a party to an international commitment by fully accepting the Constantinople Convention of 1888. He also welcomed the contribution of the United Nations Emergency Force in keeping peace in that part of the world. He did not, however, subscribe to the view that this was a "pilot project" or an "embryonic international force of the future".

Shri Krishna Menon declared that India did not regard the Middle East as a problem. What the Middle East required was, he added, economic development and comparative peace. Referring specifically to Syria, Shri Krishna Menon expressed India's "conviction" that Syria had no intention of becoming involved in the cold war.

Regarding the "outstanding problems" of the Far East, the Indian Defence Minister noted that India was chairman of the Peace Commission in Indo-China. The best that could be said, he pointed out, was that no further conflicts were taking place. War had also come to an end in Korea, but Shri Krishna Menon regretted that it was still an unhappy divided land waiting for its freedom.

Shri Krishna Menon called for the proper representation of China in the U.N. He said that it was not possible for the Assembly to function when 600 million people were excluded. Many outstanding problems including nuclear energy and disarmament could not be solved without the co-operation of this vast number of people, he declared. He hoped that world public opinion would develop so that the Assembly could take a realistic view of the situation and do what was necessary in terms of the Charter.

The Indian Defence Minister declared that the force of nationalism was perhaps the strongest force in the world, "with the exception in many countries of religion". Algeria, Cyprus and West Irian were "great colonial problems", he added. India stood firmly upon the conception that every person in Algeria—whatever the colour of his skin, his racial stock and his religion—was an Algerian, and there could not be an independence that excluded the vast number of Frenchmen who had made Algeria their home, Shri Krishna Menon emphasized.

He devoted the opening part of his address to a survey of the progress and the problems of India at the end of her first decade of Independence. He mentioned developments in the economic sphere and the growth of political democracy in the country. He went on to say that two major problems in the international context were the continued influx of refugees from East Pakistan into India and the continuation of colonial rule in a part of India, namely Goa, and that until the whole of India was free from foreign occupation, India could not regard her independence as complete.

At the close of Shri Krishna Menon's speech, the Portuguese Representative protested the reference to Goa as a colonial territory. But the Indian Defence Minister refuted him with a strong rejoinder.

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## CLOSING OF THE SESSION

The Twelfth Session came to a close on the 14th December, 1957, with speeches of appreciation of the services of Sir Leslie Munro of New Zealand in the Office of the President of the General Assembly.

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## REPRESENTATION OF CHINA IN THE UNITED NATIONS

In his letter, dated the 13th September, 1957, the Permanent Representative of India to the U.N., requested the Secretary-General of the U.N. to include this item in the agenda of the 12th session of the General Assembly. An explanatory memorandum (Document A/3663) as required under the rules of procedure was also attached to the letter.

2. When the request of the Indian representative for inclusion of the item in the agenda came up for discussion before the General Committee at its 112th meeting held on 19th September, 1957, the representative of USA, like previous years, opposed the Indian request and introduced the following resolution for adoption by the General Assembly :

*"The General Assembly:*

*"1. Decides to reject the request of India for the inclusion in the agenda of its 12th regular session of the additional item entitled*

*'The representation of China in the United Nations'; and*

*"2. Decides not to consider at its 12th regular session any proposals to exclude the representatives of the Government of the Republic of China or to seat representatives of the Central People's Government of the People's Republic of China".*

The line of argument against the inclusion of the item in agenda was the same as had been in the past and the General Committee once again rejected the Indian request and by a vote of 9 to 4 (Ceylon, Czechoslovakia, Norway and USSR) with 2 abstentions (Tunisia and Guatemala) decided to recommend to the General Assembly the adoption of the American draft resolution. Shri V. K. Krishna Menon, Chairman of the Indian Delegation, in his statement in the General Committee, disputed the procedural admissibility of para. 2 of the recommendations contained in U.S. draft resolution. He went

on to say that the second part of the U.S. resolution "goes a long way" by giving instructions to the General Assembly, as it would be beyond the scope of General Committee to make such recommendations.

3. The recommendations of the General Committee came up for consideration in the General Assembly at its 684th plenary meeting held on 23rd September 1957, when the representative of India, Shri V. K. Krishna Menon, introduced two amendments (Document A/L. 224) to the draft proposed by the General Committee. The first amendment would delete the word "not" in paragraph 1 and the second amendment sought the deletion of paragraph 2 altogether.

Shri Menon in his speech impressed on the Assembly the importance of the question and remarked that it would be wrong for the General Assembly to avoid discussion of a matter of such a great importance. It was not very dignified, he continued, for the Assembly to postpone the consideration of this item year after year. (A copy of the text of the speech of Shri Menon on this issue is attached as annexure to the report).

4. More than 22 speakers participated in the debate and the representatives of Afghanistan, Albania, Bulgaria, Burma, Byelorussia, Ceylon, Czechoslovakia, Ethiopia, Hungary, Ireland, USSR, Poland opposed the recommendations of General Committee and said in their statements that they would vote for the Indian amendments. The representative of Ireland made a good speech and for the first time in his statement said that "our aims should be to win acceptance of the principles of the Charter in China and to secure self determination for the people of Korea. The belief of my delegation is that in the present circumstances progress can best be made towards these ends by having a full and open discussions of the representation of China in this Assembly".

As the debate was nearing conclusion, Shri Krishna Menon declared that the Indian delegation, would not press its second amendment to delete the second part of the General Committee's recommendation. He said that he was not pressing this second amendment out of respect for the convictions of those who at present opposed any change in Chinese representation. A vote was then taken on the first Indian amendment and it was rejected by 29 votes to 43, with 9 abstentions. The result of the voting was as follows:

*In favour:* Afghanistan, Albania, Bulgaria, Burma, Byelorussia, Cambodia, Ceylon, Czechoslovakia, Denmark, Egypt, Ethiopia, Finland, Ghana, Hungary, India, Indonesia,



Ireland, Morocco, Nepal, Norway, Poland, Romania, Sudan, Sweden, Syria, Ukraine, USSR, Yemen and Yugoslavia.

*Against:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, France, Guatemala, Haiti, Honduras, Iceland, Iran, Iraq, Italy, Japan, Jordan, Lebanon, Liberia, Luxembourg, Malaya, Netherlands, New Zealand, Nicaragua, Panama, Paraguay, Peru, Philippines, Spain, Thailand, Turkey, United Kingdom, United States, Uruguay, and Venezuela.

*Abstentions:* Greece, Israel, Laos, Libya, Mexico, Pakistan, Portugal, Saudi Arabia and Tunisia.

*The Union of South Africa was absent.*

The Assembly finally adopted the draft resolution recommended by the General Committee. The resolution was voted in parts and the result of the voting was as follows:—

Paragraph 1: 46 votes to 28, with 7 abstentions (Ethiopia voted against).

Paragraph 2: 47 votes to 27, with 7 abstentions (Ethiopia voted in favour).

*Resolution as a whole:* 47 votes to 27 with 7 abstentions.

The result of the voting was as follows :

*In favour:* Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, Iran, Iraq, Italy, Japan, Jordan, Lebanon, Liberia, Libya, Luxembourg, Malaya, Mexico, Netherlands, New Zealand, Nicaragua, Panama, Paraguay, Peru, Philippines, Spain, Thailand, Turkey, United Kingdom, United States, Uruguay, Venezuela.

*Against:* Afghanistan, Albania, Bulgaria, Burma, Byelorussia, Ceylon, Czechoslovakia, Denmark, Egypt, Finland, Ghana, Hungary, India, Indonesia, Ireland, Morocco, Nepal, Norway, Poland, Romania, Sudan, Syria, Sweden, Ukraine, USSR, Yemen, Yugoslavia.

*Abstentions:* Cambodia, Israel, Laos, Pakistan, Portugal, Saudi Arabia, Tunisia.

*The representative of South Africa was absent.*

Ireland and Morocco who had voted for the resolution last year, voted against it this year. Ghana, a new entrant in U.N., also voted against and this increased the number of negative votes to 27, as against 24 cast last year.

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## REPORT OF THE SECURITY COUNCIL

The report of the Security Council to the General Assembly covering the period from 16 July 1956 to 15 July 1957 (A/3648), was considered at a plenary meeting of the Assembly on 12 December 1957. The Assembly adopted without objection a resolution taking note of the report.

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## APPOINTMENT OF THE SECRETARY-GENERAL

The Security Council at its meeting on 26 September 1957 unanimously decided to recommend to the General Assembly that Mr. Dag Hammarskjöld be appointed as Secretary-General of the United Nations for another term of 5 years. The Assembly at its 690th meeting held the same afternoon, endorsed the recommendation of the Security Council by a secret ballot. The vote was 80 in favour, while one vote was declared invalid. A letter from the Israeli delegation to the President of the Assembly was also read into the record registering Israel's affirmative vote for Mr. Hammarskjöld. This was done in view of her absence due to the observance of the Jewish New Year.

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## DRAFT RELATIONSHIP AGREEMENT BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL ATOMIC ENERGY AGENCY.

On 11 January 1957, the General Assembly had passed resolution 1115(XI) authorising the Advisory Committee on the Peaceful Uses of Atomic Energy, as established under Resolution 810(IX), to negotiate with the Preparatory Commission of the International

Atomic Energy Agency a draft agreement based on the principles set forth in the study (document A/3122) prepared by the Secretary-General in consultation with the Advisory Committee.

The Advisory Committee entered into such discussions with the Preparatory Commission, and approved in a joint meeting a draft text of agreement (document A/3620, Corr. 1, and Add. 1).

On 23 October 1957 the Secretary-General informed the Assembly (document A/3713) that the General Conference of the International Atomic Energy Agency had approved the draft agreement on that day.

The Assembly took up consideration of this item at its 715th meeting on 14 November 1957. It had before it a draft resolution A/L. 228 and Add. 1 sponsored by France, India, UK, USSR, USA, and 13 other countries. In its operative paragraph it approved "the agreement governing the relationship between the United Nations and the International Atomic Energy Agency, as set forth in documents A/3620 and Corr. 1". This was adopted unanimously.

Another draft resolution (A/L 229) was introduced by the USA authorising the International Atomic Energy Agency to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities other than questions concerning the relationship between the Agency and the U.N. or any other Specialized agency.

This resolution was also adopted unanimously.

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QUESTION OF AMENDING THE UNITED NATIONS CHARTER  
IN ACCORDANCE WITH THE PROCEDURE LAID DOWN IN  
ARTICLE 108 OF THE CHARTER, TO INCREASE THE  
NUMBER OF NON-PERMANENT MEMBERS OF THE  
SECURITY COUNCIL AND THE NUMBER OF VOTES  
REQUIRED FOR DECISIONS OF THE COUNCIL.

QUESTION OF AMENDING THE UNITED NATIONS CHARTER  
IN ACCORDANCE WITH THE PROCEDURE LAID DOWN IN  
ARTICLE 108 OF THE CHARTER, TO INCREASE THE  
MEMBERSHIP OF THE ECONOMIC AND SOCIAL COUNCIL.

QUESTION OF AMENDING THE STATUTE OF THE INTER-  
NATIONAL COURT OF JUSTICE IN ACCORDANCE WITH  
THE PROCEDURE LAID DOWN IN ARTICLE 108 OF THE

CHARTER OF THE UNITED NATIONS AND ARTICLE 69 OF  
THE STATUTE OF THE COURT, WITH RESPECT TO AN  
INCREASE IN THE NUMBER OF JUDGES OF THE INTER-  
NATIONAL COURT OF JUSTICE.

At its 11th Session the General Assembly had decided by mutual agreement to postpone the consideration of these three items to its 12th session. These items were accordingly included in the Agenda of the 12th session and were assigned for discussion to the Special Political Committee. As any decision on these items would require amendments to the Charter of the United Nations, most of the delegations felt that it was necessary to have unanimity in the matter amongst the members of the Assembly including the permanent members of the Security Council.

The Indian Delegation, together with some other delegations took an active part to find a generally acceptable solution in the matter. It, however, became clear that for the time being no general agreement could be reached amongst the permanent members of the Security Council in the matter and accordingly when these items came up for discussion in the Special Political Committee, India proposed postponement of their consideration to the 13th session of the General Assembly. A 17-power draft resolution (A/SPC/L.20) was introduced by the representative of Ecuador, on behalf of Argentine, Bolivia, Brazil, Ceylon, Chile, Colombia, Costa Rica, Egypt, Guatemala, Honduras, India, Indonesia, Nicaragua, Panama, Paraguay and Venezuela in the following terms:--

*"The General Assembly.*

*Decides to give further consideration to items 19, 20 and 21 of its present agenda at the thirteenth session of the General Assembly;*

*Requests the Secretary-General to include these items in the provisional agenda of the thirteenth session of the General Assembly."*

3. At the outset of the debate, Shri Arthur S. Lall, the Indian representative on the Committee, suggested that the consideration of these items be postponed for one year. In his delegation's view these items should not be discussed until an agreement on the question of amending the Charter accordingly, specially amongst the permanent members of the Security Council, could be anticipated. He further pointed out that the postponement move did not imply

that a decision on these items should wait for the proposed Charter Review Conference.

4. The draft resolution was adopted by the Committee by a vote of 52 *to none* and was finally adopted by the General Assembly at its 728th meeting by 65 *votes to none*.

India voted for the resolution on both the occasions.

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#### REPORT OF THE COMMITTEE ON ARRANGEMENTS FOR A CONFERENCE FOR THE PURPOSE OF REVIEWING THE CHARTER.

The General Assembly decided, at its 547th plenary meeting held on 24 November 1955, by resolution 992(X), to appoint a Committee of all Members of the United Nations to consider, in consultation with the Secretary-General, the question of fixing a time and place for a General Conference to be held at an appropriate time to review the Charter, and the organization and procedures of such a Conference. The Committee was requested to report with its recommendations to the General Assembly at its twelfth session.

The Committee met on 3 June 1957, and adopted by 67 votes to none, with 9 abstentions, a resolution sponsored by Brazil, Canada, Egypt, El Salvador, India, Indonesia, Ireland, Iran, Liberia and Panama (A/AC.81/L.1).

In it the Committee recommended to the General Assembly that it (the Committee) be kept in being and be requested to report, with recommendations, to the General Assembly not later than its 14th Session.

The 705th Plenary meeting held on 14 October 1957 considered the Committee's report (A/3593) and adopted draft resolution A/L.225 and Add. 1, co-sponsored by all those countries which had presented A/AC.81/L.1 in the Committee, by a vote of 54 to none and 9 abstentions. This resolution endorsed the recommendations made by the Committee.

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#### THE QUESTION OF HUNGARY—REPORT OF THE GENERAL ASSEMBLY'S SPECIAL REPRESENTATIVE ON THE HUNGARIAN PROBLEM.

This item was included in the agenda of the Twelfth Session of the General Assembly in accordance with paragraph 10 of the

General Assembly's Resolution 1133(XI) of the 14th September, 1957. By this resolution the Assembly had also appointed H.R.H. Prince Wan Waithyakan of Thailand, as its Special Representative on the Hungarian problem and requested him to make further efforts in the matter with a view to finding a solution in accordance with the previous resolutions adopted by the Assembly and to report and make recommendations as he deemed advisable in this respect.

2. The question came up for consideration in the General Assembly at its 731st plenary meeting, when the Assembly had before it the report of the Special Representative (Document A/3774). While giving an account of the efforts made by him, the Special Representative in his report pointed out that so far he had not been able to find any opportunity for negotiations and that he intended continuing his efforts. In view of the fact that the matter had already been discussed thoroughly in the resumed session of the Eleventh General Assembly, which had preceded the Twelfth Session, the Assembly simply took note of the report of the Special Representative and no formal resolution was adopted on the subject. Short statements were, however, made by the Delegations of U.S.A., U.S.S.R., Hungary, Netherlands, Uruguay, Czechoslovakia and Australia.

3. Ambassador Lodge of USA criticised the attitude of non-cooperation of the Soviet and Hungarian Governments in his statement and went on to say that the United States Government might request for reconvening of a special session of the General Assembly on this question, should the circumstances warrant. The Representatives of USSR and Hungary in their statements once again made it clear that the so called Hungarian question was entirely an internal affair of the Hungarian Government and that they disapproved of the discussion of this question in the United Nations.

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#### CLEARANCE OF SUEZ CANAL—REPORT OF THE SECRETARY-GENERAL

The item "Clearance of Suez Canal" was included in the agenda of the twelfth session of the General Assembly, on a request from the Secretary-General of the United Nations contained in Document A/3664. At its eleventh session the General Assembly had authorised the Secretary-General *vide* its resolution 1121(XI) to proceed with

the exploration of practical arrangements and the negotiation of agreements so that the clearing operations may be speedily and effectively undertaken.

2. The Secretary-General in his report (A/3719) reviewed the work of clearance of Suez Canal and gave an account of cost of operations as well as the loan contributions received from member countries. The report recommended that the re-payments to the contributor countries be effected by means of a surcharge on Canal traffic, with a levy of 3 per cent on Canal tolls to be paid into a specific United Nations Account. The procedure to govern such payments would be negotiated with the Egyptian Government and with the other parties to the payments. On the basis of current level of Canal Traffic it is estimated that by this method the costs would be reimbursed over a period of about three years.

The General Assembly considered the report of the Secretary-General at its 730th plenary meeting held on 14th December 1957, when a four-power draft resolution on the matter was submitted by Brazil, Iran, the Philippines and Thailand. The resolution, among other things in its preamble "expressed Assembly's appreciation of the prompt and efficient manner in which the clearance operation was organized and its satisfaction that the Suez Canal is again serving world trade and international shipping. The operative paragraphs of the resolution provided that the General Assembly:

1. *Notes* the expenses and obligations that have been incurred by the United Nations in the clearing of the Suez Canal;

2. *Endorses* the recommendation of the Secretary-General that, subject to reduction by such resources as might become otherwise available, reimbursement of the advances made by contributor countries to meet the costs of the operations be effected by the application of a surcharge on Canal traffic and that, under this arrangement, a surcharge of 3 per cent on Canal Traffic would be paid by all shipping and trade using the Canal into a special United Nations account, the procedure to govern such payments to be negotiated with the Government of Egypt and with the other parties to the payments;

3. *Authorizes* the Secretary-General to take the necessary steps to put this arrangement into effect;

4. *Urges* the Government of Member States to co-operate fully with the Secretary-General under the present resolution in order

that advances made to the United Nations for the purpose of clearing the Canal may be repaid.

After a short debate the Assembly adopted the 4-power draft resolution by a vote of 54 to none, with 19 abstentions. No roll call vote was taken and countries of the Soviet group together with a few Latins also abstained on the resolution. India voted for the resolution.

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### UNITED NATIONS EMERGENCY FORCE—REPORT OF THE SECRETARY-GENERAL

The item was included in the agenda of the 12th Session of the General Assembly on a request from the Secretary-General of the United Nations contained in Document A/3665. The Secretary-General in his report (A/3694 and Add. 1) gave an exhaustive account of the functioning and financing of the Force and submitted the following for consideration of the General Assembly:—

- (a) The method or methods by which the funds required for the maintenance of the Force are to be obtained;
- (b) The need for increasing the Secretary-General's obligational authority for the period ending 31 December 1957;
- (c) The provision of appropriate obligational authority in respect of any 1958 period during which the Force may continue on its present basis of operation;
- (d) The problem of assuring the availability of necessary cash resources, pending receipt of contributions or other payments to the UNEF Special Account;
- (e) The Secretary-General's interpretation of his financial authority in the matter of reimbursement of special allowances paid by Governments to members of their UNEF contingents for the first six months of service;
- (f) The proposed formula under which, in respect of any period subsequent to the first sixth months of service, the United Nations would assume financial responsibility for all "extra and extraordinary" costs incurred by a Member Government as a direct result of furnishing a contingent to UNEF;



(g) The proposal that, in respect of equipment furnished by a participating Government to its contingent, the United Nations should be financially responsible for its replacement in the event of its being destroyed or worn out, or for such depreciation (beyond that provided for under normal depreciation schedules) as can be assessed at the conclusion of the total period of service of a Government's forces;

(h) Arrangements for payment of compensation in the event of injury or death attributable to service with the Force.

2. The matter came up for discussion in the General Assembly at its 720th and 721st meetings, when a 21 power draft resolution (A/L.235 and Add. 1) was formally introduced by the Canadian delegation on behalf of Brazil, Ceylon, Colombia, Costa Rica, Denmark, Finland, *India*, Indonesia, Iran, Ireland, Italy, Japan, Liberia, Norway, Pakistan, Spain, Sweden, Thailand, Uruguay and Yugoslavia. In its preambular paragraphs, the draft resolution contained a reference to the earlier resolutions on UNEF, a note of appreciation for the report of the Secretary-General and an acknowledgment of the contribution of the Force to the maintenance of quiet in the area. The following comprised the operative portion of the resolution:—

1. *Expresses its appreciation* of the assistance rendered to the Force by Members who have contributed troops and other support and facilities and its hope that such assistance will be continued as necessary;
2. *Approves* the principles and proposals for allocation of costs between the Organization and Members contributing troops as set forth in paragraphs 86, 88 and 91 of the report of the Secretary-General (A/3694), and authorizes the Secretary-General in connexion therewith to enter into such agreements as may be necessary for reimbursement of appropriate extra and extraordinary costs to Members contributing troops;
3. *Authorizes* the Secretary-General to expend an additional amount for the Force, for the period ending 31 December 1957, up to a maximum of \$ 13·5 million and, as necessary, an amount for the continuing operation of the Force beyond that date up to a maximum of \$ 25 million, subject to any decisions taken on the basis of the review provided for in paragraph 5;

4. *Decides* that the expenses authorized in paragraph 3 shall be borne by the Members in accordance with the scale of assessments adopted by the General Assembly for the financial years 1957 and 1958 respectively, such other resources as may have become available for the purpose in question being applied to reduce expenses before the apportionment for the period ending 31 December 1957;
5. *Requests* its Administrative and Budgetary Committee, with the assistance of the Advisory Committee on Administrative and Budgetary Questions, to examine, in the light of the present resolution, the cost estimates for maintaining the Force contained in the report of the Secretary-General and to make such recommendations as it considers appropriate concerning the expenditure authorized under paragraph 3.

3. A majority of the members in the Assembly were in complete agreement on the report of the Secretary-General and fully supported the draft resolution. The countries of the Soviet group, however, opposed the adoption of the resolution. During the course of the general debate on the item, the Soviet delegation held the view that the expenditure incurred in maintaining the UNEF should be defrayed by the States, who perpetuated armed aggression against Egypt. A similar view was also expressed by Guatemala, who finally abstained on the resolution. The representative of Pakistan, who supported the resolution, stated in his speech that they considered the present UNEF to be the forerunner of a permanent force, the establishment of which should be nearer attainment because of the success achieved by the present Force in the Middle East. India did not participate in the general debate and the resolution was finally adopted by the General Assembly by 51 votes to 11, with 19 abstentions.

India voted for the resolution, while all the Arab countries abstained. Notable amongst those who voted against the resolution besides countries of Soviet Bloc were Ecuador and Chile.

The Eleventh Session of the General Assembly requested the Fifth Committee to examine at the Twelfth Session with the assistance of the Advisory Committee on Administrative and Budgetary Questions the estimated cost of maintaining the Emergency Force. The Advisory Committee on the basis of the estimate presented and taking into account the financial obligations

which were expected to arise in 1957 as a result of the General Assembly's decision to reimburse participating Governments for the special allowance paid by them to members of the contingents serving with UNEF as well as extra costs relating to pay and allowances, concluded that a sum of \$ 30,000,000 for the first financial period would be adequate. The Advisory Committee's report was also principally concerned with the expenditures against the \$ 25 million authorized by the General Assembly for the continuing operations of the Force beyond 1957. On this point, the Committee reported that in the absence of a formal budget estimates for 1958, it could not review the anticipated expenditure for 1958 on the oral testimony. The Committee therefore suggested that the Secretary-General should be requested to present a formal budget at a very early date, at least for the first six months immediately, the Secretary-General agreed to do so.

The Committee approved the report of the Advisory Committee after expressing satisfaction with the report. The report of the Fifth Committee was adopted in plenary without a vote.

#### QUESTION OF THE COMPOSITION OF THE GENERAL COMMITTEE OF THE GENERAL ASSEMBLY

The Czechoslovak delegation in a letter dated 4 October 1957 (Doc. A/3692 and Corr. 1) requested for inclusion of this item in the agenda of the Twelfth session of the Assembly. The Assembly decided to include it in its agenda and referred it to the Special Political Committee. The explanatory memorandum attached to the letter referred to the representative character of the Committee as envisaged in rule 31 of the Rules of Procedure of the General Assembly and proposed that the question of the composition of the General Committee be considered in the light of the increase in membership of the Assembly, with due regard to the principle of equitable geographical distribution.

2. A thirteen-power draft resolution (A/SPC/L.22) was introduced by Ceylon, on behalf of Burma, Czechoslovakia, Egypt, Ethiopia, Ghana, India, Indonesia, Liberia, Saudi Arabia, Sudan, Syria and Thailand. The draft resolution proposed that the membership of the General Committee be increased to 21, by providing in the rules of procedure of the General Assembly for the election of

13 instead of 8 Vice-Presidents. The operative paragraphs of the resolution provided that the General Assembly:

- “(i) *Decides* to amend rules 31 and 38 of its rules of procedure by increasing the number of Vice-Presidents specified in each rule to thirteen; and
- (ii) *Decides* that the thirteen Vice-Presidents should be elected according to the following geographical pattern:
  - (a) The practice of electing the five Permanent Members of the Security Council as Vice-Presidents of the General Assembly to continue unchanged;
  - (b) The remaining Vice-Presidents to be selected from four major regions of the world, namely:—
    - (i) Asia-Africa.
    - (ii) Eastern Europe.
    - (iii) Latin America.
    - (iv) Western Europe and other countries.
  - (c) Four Vice-Presidents to be elected from region (i), two each from regions (iii) and (iv) and one from region (ii);
  - (d) The region from which the President is elected will however reduce by one the number of Vice-Presidencies allocated in (c) above.

3. Costa Rica, Ecuador, El Salvador, Mexico, Peru and Uruguay jointly sponsored certain amendments (A/SPC/L. 23) to the thirteen power draft resolution. These amendments sought the deletion of the fifth paragraph of the preamble and insertion of the following as a third operative paragraph in the thirteen-power draft resolution:—

“*Confirms* the practice established with regard to the geographical distribution of chairmanships of the Main Committees, namely, two from Latin America, two from Asia-Africa, two from Western Europe and other countries and one from Eastern Europe.”

As these amendments would not make any material change in the proposals contained in the thirteen power draft resolution, they were promptly accepted by the sponsors and a revised resolution (A/SPC/L. 22 Rev. 1) was then introduced.

4. The representative of India, Shri A. S. Lall, speaking in the general debate pointed out that the composition of the General Committee was clearly no longer satisfactory and in view of the increased membership of the United Nations, it was absolutely necessary to review the question of its composition in order to give it a more representative character on the basis of equitable geographical distribution. He stated that while the permanent members of the Security Council should always be members of the General Committee, the composition of the latter should reflect more closely to that of the General Assembly and that representatives of all parts of the world should be adequately represented in the Committee. There was no fear that the enlargement of the General Committee would turn that body into a debating society, because the Committee was not supposed to discuss the substance of any agenda item.

5. The Western European countries, together with the Commonwealth group (excepting the nations of Asia-Africa) were, from the very beginning, opposed to any such move which would increase the membership of the General Committee and desired that the consideration of this item be postponed to the next session of the Assembly. Although the thirteen-power draft resolution had the support of most of the Latin-American countries as well as of the Soviet group and Afro-Asian nations, the sponsors felt it necessary to have, as far as possible, a general agreement amongst the members before putting it to a vote. Another revised draft resolution (A/SPC/L. 22 Rev. 2) was, therefore, introduced by the sponsors in order to meet certain objections which had been made to the first revision. This revised resolution did not have any material change except that the operative paragraph 2 in the previous text had been shown as an annex with certain amendments.

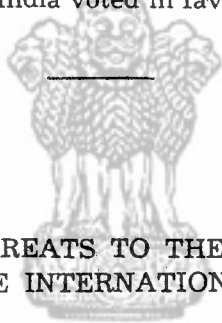
6. The resolution (A/SPC/L. 22 Rev. 2) was finally adopted by the Committee by a roll call vote of 48 to 17 with 10 abstentions. Western European countries and the Commonwealth countries (excepting Asian-African members) voted against the resolution. The United States of America who did not participate in the debate abstained.

7. When the matter came up for consideration in the General Assembly, Burma, Ceylon, Ethiopia, Ghana, India, Liberia, Syria and Thailand, introduced another amendment (A/L. 242) to the draft resolution adopted by the Special Political Committee, in order to accommodate the Commonwealth group (excepting Afro-Asian

nations). This amendment would add the following paragraph to the annex to the resolution:—

- “3. At least one of the Vice-Presidents in categories (a) or (d) above, or the President, or one of the Chairmen of the Committees will be from a Commonwealth country, without altering the geographical distribution of seats in the General Committee, as defined in paragraphs 1 and 2 of this annex and operative paragraph 1 of the resolution.”

The eight-power amendment was adopted by the Assembly by a vote of 59 to none with 18 abstentions. The draft as amended was then adopted by a roll call vote of 49 to 1 with 27 abstentions. West European countries and the Commonwealth countries, who had voted against the resolution in the Special Political Committee, abstained in the Plenary. Pakistan who had earlier voted in favour also abstained in the Plenary. India voted in favour on both the occasions.



## COMPLAINT ABOUT THREATS TO THE SECURITY OF SYRIA AND TO THE INTERNATIONAL PEACE

The Foreign Minister of Syria in his letter dated 15th October 1957 (Document A-3699) requested the inclusion of this item on the agenda of the 12th Session of the General Assembly. In the explanatory memorandum attached to the request, it was stated that

- (i) “At present there exists an actual military threat to Syria, resulting from the heavy, unprecedented and unwarranted concentration of Turkish troops, upto several divisions, in close proximity to the Syrian-Turkish border.
- (ii) It is evident that the security and independence of Syria are being endangered. The present situation has indeed reached the point whereby measures by the United Nations in fulfilment of the Charter, are necessary.
- (iii) The Syrian Delegation deems it appropriate that a Commission be set up by the General Assembly to investigate the situation on the Syrian-Turkish border and report

to the Assembly. An impartial and international investigation of that nature would surely help to lay the facts before the United Nations."

2. The General Committee at its 116th meeting held on 18th October 1957 considered the Syrian request and decided unanimously to recommend the inclusion of the item in the agenda and its consideration in the plenary meeting, without reference to a Committee. The General Assembly adopted the recommendations of the General Committee and the matter first came up for discussion in the Assembly at its 708th plenary meeting. At the outset the Turkish representative, speaking on a point of order, suggested that in view of the offer of mediation made by the King of Saudi Arabia, which had since been accepted by Turkey, it might be appropriate to postpone discussion of the question. This suggestion was very strongly opposed by Syria and USSR and as there was no formal proposal for postponement by the Turkish delegation, the Assembly continued its general debate on the item, in an atmosphere of tension.

3. The Syrian representative in his statements before the General Committee as well as in the plenary, referred to the huge Turkish military concentrations along the Syrian-Turkish border and the propaganda campaign launched against Syria, as potential dangers to Syrian security and to the world peace. He called for rapid action by the Assembly in the matter and also asked for the appointment of a commission to investigate the situation on the Syrian-Turkish border and to report to the General Assembly. The Turkish representative in his speech declared that the Syrian allegations were completely unfounded and that Turkey had not massed troops beyond the need of purely defensive precautions. He further reaffirmed that Turkey had no aggressive designs against any one of its neighbours, least of all against Syria nor will they have any such designs in future. As the debate progressed, it became evident that the Western powers, especially the U.S.A. wanted that the issue should be placed in the hands of King Saud of Saudi Arabia and that the debate on the question be adjourned pending the outcome of the mediation efforts of the Saudi Arabian monarch. The Syrians on the other hand were totally opposed to any such move and the Syrian Foreign Minister in his speech made it clear that his country was not willing to accept mediation in the face of a threatened invasion. The Western powers, however, succeeded in having the debate adjourned for 3 days on a Paraguayan proposal

While there was difference of opinion in regard to the cause of the situation, there was general agreement amongst the members of the Assembly on the following:—

- (i) that the situation was important and demanded the attention of the General Assembly, and
- (ii) that the facts had to be ascertained by appropriate investigation by the United Nations.

4. More than 25 countries participated in the general debate and the Assembly heard some very strong statements in the matter, notably from the representatives of USSR and USA. Mr. Gromyko, the Soviet Foreign Minister, in his speech declared that Syria did not stand alone in the matter and that in the event of an attack, the USSR would defend Syria. An equally forceful speech was made by Ambassador Cabot Lodge of the United States of America, who said that if the USSR went to war in this area, the USA would come to the assistance of Turkey with all her resources and he warned the USSR to be in no doubt whatsoever on this point. During the course of discussions, two separate draft resolutions were introduced for consideration of the Assembly. The first resolution (A/L. 226) was introduced by Syria and would establish a fact finding commission for the purpose of investigating the situation on the spot in the area of Syrian-Turkish border. The said commission would be composed of representatives of seven Member States, two to be chosen by Syria, two by Turkey, and the remaining three to be appointed by common agreement between the parties. The resolution further requested the commission to proceed to the area immediately and to submit a preliminary report to the General Assembly and Security Council, within two weeks of the appointment.

The second draft resolution (A/L. 227) was introduced by Japan on behalf of Canada, Denmark, Norway, Paraguay, Peru and Spain. This resolution "while recalling in its preamble Article 33 of the Charter, expressed Assembly's confidence that the Secretary General in the exercise of his responsibilities under the Charter, and without prejudice to efforts being made under Article 33, will be available to undertake discussions with representatives of Syria and Turkey, as may be useful and could proceed, if necessary to the countries concerned in connection with the performance of his task"

5. Shri V. K. Krishna Menon participated in the debate on behalf of India. In his brief statement he said that there was no doubt that the great majority of members of the Assembly were greatly



concerned about the matter under discussion, but the Indian Delegation not having the first hand knowledge of the situation, would not express itself on the merits of the case. He would only say that no State would call for a fact finding commission, unless such a body was really necessary. Referring to the views expressed by the USSR and USA during the course of the debate, the Indian representative stated that India felt that nothing would be gained by making charges and counter charges. Speaking of the Syrian draft resolution, Mr. Krishna Menon said that he wanted to make a modest suggestion. In the present circumstances, he continued, such an investigation could proceed only if both the parties accepted it. He suggested that Syria and Turkey should immediately get together and negotiate directly on the matter or if considered necessary through the good offices of the Secretary General, so that the fact finding could be made possible.

6. Although a great majority of members of the Assembly realised the importance of the situation, there was no general agreement on a definite line of action to end the deadlock. The representative of Indonesia, therefore, made an appeal to the sponsors of the two draft resolutions, contained in Documents A/L. 226 and A/L. 227, not to press their respective resolutions and urged the parties involved to resolve their differences in an atmosphere of goodwill, mutual confidence and respect, in accordance with the principles laid down in the Charter of the United Nations. Since the tension had sufficiently eased on the Syrian-Turkish border during the period and the Turkish elections, were also over, the Syrians accepted the Indonesian appeal and agreed not to press their resolution to a vote. The sponsors of the seven power draft resolution (A/L. 337) also did not press to a vote their resolution; thus no formal action was taken by the Assembly on the Syrian complaint.

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### THE KOREAN QUESTION

There was nothing new in this year's discussion on Korea in the Assembly except the Report by the United States Government, in its capacity as the unified Command in Korea concerning certain action taken by that Command in Korea in order to maintain relative military balance. In addition as usual the First Committee had before it the Report of the UNCURK (doc. A/3672).

The declining interest of the Committee in the discussion on this item can be found from the fact that whereas during the 11th session 38 delegations participated in the debate, in the 12th session's

discussions only 25 delegations took part in discussions, in spite of increase in membership.

The First Committee considered this question at its 899th to 904th meetings held between 12 and 18 November 1957. At the outset the representative of United States submitted as usual a draft resolution (A/C.1/L. 190) providing for inviting a representative of the Republic of South Korea to participate in the debates without the right to vote. Mr. Judd, the United States representative said that the draft resolution was based on the past practice and was in consonance with the co-operation given by Republic of Korea. Thereupon India's representative Mr. Arthur S. Lall submitted an amendment to the United States draft resolution providing for an invitation to representatives of both the Republic of Korea and the Democratic People's Republic of Korea (A/C.1/L. 191).

Speaking in favour of the amendment Mr. Lall said that the question under discussion was not that of admission of Korea to the United Nations but one of Unification of the territory and as such representatives of both the parties should be invited. The delegations of Albania, Australia, Bulgaria, China, Czechoslovakia, Nepal, Poland, Romania, Syria, Thailand, USSR, the U.K., and the USA, took part in the discussion on this motion. The delegate of Australia, referring to the Indian amendment said, that the Assembly should not yield to pressures and invite the representative of North Korea. Replying to the Australian insinuation, Mr. Lall asked why Indian amendment should be regarded as a pressure and not the United States draft resolution which brought into discussion, a partisan attitude. He stated that Indian Delegation could not agree with the logic of the delegate of the United States in having an *exparte* discussion of the matter.

At the same meeting both the Indian amendment and the United States draft resolution were put to the vote. The Indian amendment failed to be adopted.

The vote was 20 in favour, 36 against with 20 abstentions. The Committee adopted the United States draft resolution by 44 votes to 15 with 16 abstentions. India voted against. The voting on the Indian amendment last year was 20 in favour, 40 against and 11 abstentions. (That means this year number of votes against our amendment increased by 4 and abstentions have decreased by 9. The corresponding vote on the United States draft resolution last year was 51-10-12. This year the United States draft resolution

secured 7 less affirmative votes, votes against increased by 5 and abstentions increased by 4.) Conspicuous among abstentions on Indian amendment were Malaya, Mexico, Nepal, Pakistan, Sweden, Afghanistan, and Finland. The representative of the Republic of Korea then took his place at the Committee table.

The general debate on this item began at the Twelfth Session by the statement by Mr. Walter Judd, representative of the United States. He was followed by the representatives of France, the Soviet Union, and the United Kingdom.

On 13 November, *Australia, Ethiopia, France, Greece, Luxembourg, New Zealand, the Philippines, Thailand, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America* submitted a draft resolution (A/C.1/L.192) which provided that the General Assembly, (a) having noted the report of UNCURK, (b) recalling its resolutions 1955(III), 498(V), 811(IX), 910(X) and 1010(XI), and (c) noting that the Armistice Agreement of 27 July 1953 remained in effect, would: (1) reaffirm that the objective of the United Nations were to bring about by peaceful means the establishment of a unified, independent and democratic Korea under a representative form of government and the full restoration of international peace and security in the area; (2) urge that continuing efforts be made to that end; (3) call upon the communist authorities concerned to accept the established United Nations objectives in order to achieve a settlement in Korea; (4) request UNCURK to continue its work in accordance with relevant resolutions of the General Assembly; and (5) request the Secretary-General to place the Korean question on the provisional agenda of the thirteenth session.

The delegate of Japan who participated in the discussion on this item for the first time was restrained in his remarks but the significant sentence in his speech was the one in which he referred to the two principles adopted by the nations participating in the Geneva Conference of 1954, *viz.*, "they are definite and concrete certainty, they are not ultimatum. My delegation believes that the Assembly always has the power to amend or modify their principles in view of the prevailing circumstances at any particular moment".

In view of the rigid stand taken by the parties concerned there were no prospects of any modifications or change in the draft resolution and as such the discussion on the draft resolution was limited.

The Chairman of Indian Delegation, Shri V. K. Krishna Menon, was the last speaker in the general debate on this question. He

told the committee that the debate that had taken place in the committee on this item that year was not conducive to the attainment of the U.N. objective in Korea and more a discussion on "cold war" rather than the future of Korea. At the outset, Shri Menon gave an account of the Ex-prisoners of the Korean war brought into India and he expected that the remaining five ex-prisoners would also soon be settled either in Argentina or Mexico for which the negotiations were being undertaken. He praised the role played by Brazil, Argentina and Mexico in resettling these ex-prisoners of Korean War in these countries and told the Committee about the avocations of the ex-prisoners opted for India.

Mr. Menon then turned to the political aspects of the Korean question and drew the attention of the committee to the observation in the Report of the UNCURK, that here had been no change in the basic prospects for realizing the fundamental objective of UN in Korea, namely, unification. Referring to the joint draft resolution, Mr. Menon said that it reaffirmed for the fourth time the General Assembly Resolution of 1954 on Korea but that had not brought the Assembly nearer the solution. He further stated that there was no question of giving up principles but there were many ways of implementing them. Explaining India's policy on this question, Mr. Menon said that in the opinion of the Indian Delegation the unification of Korea and the establishment of Korean nationality, was not only desirable but necessary from the point of view of stability of the Far East and for paving the way for solution of other problems. Mr. Menon further stated that Korea was divided not because the Korean people themselves wanted it but because of the extraneous factors and that it was possible to bring about the unification of Korea on the basis of understanding between the two sides, on the basis of free elections, if necessary on the basis of Constituent Assembly or a Confederation or of any kind of solution if the Koreans are left to themselves. He suggested that these elections for reunification should be held under international supervision as United Nations represented by U.N. Command was one of the parties and moreover U.N. supervision was not exercised over all Korea. In this connection, he recalled the statement of the French Foreign Minister at Geneva Conference in 1954, in favour of free elections under international supervision.

He said that the U.N. had two functions in this matter, first that was as one of the combatants and secondly as the custodian of the Charter in the way of harmonizing interests.

In his delegation's opinion it was more important to unify Korea on the basis of elections whose details would be discussed by the leaders of both sides without outside interference and pressure.

Referring to the statements made by the statesmen from North and South Korea, Mr. Menon said that they did not give much hope but the Koreans were a patriotic people and as they succeeded in liberating themselves from domination of Japan in the past, they would achieve unification of their country and hoped that modern Japan would help them in this.

Referring to the Armistice Agreement he stated that it was not dictated by the U.N. Command. He enquired, when it came to a settlement why should the method of agreement between both sides be abandoned? He said that the draft resolution was unrealistic and the solution proposed therein was not keeping with the Armistice Agreement and as such would not receive the support of the Indian Delegation.

The Chairman of the Indian Delegation ended his statement by reserving the right of the Government of India to discuss the Report of the Neutral Nations Repatriation Commission, if necessary.

The 11-power draft resolution was adopted by the Committee by 53 votes in favour, 9 against with 15 abstentions. Delegations of El Salvador, Ghana, Jordan, and Union of South Africa were absent in the Committee at the time of voting whereas India did not take part in voting as declared earlier by the Chairman of the Indian Delegation.

The first committee's resolution was finally adopted in the plenary by a vote of 54 in favour, 9 against with 16 abstentions. India abstained.

# REGULATION, LIMITATION AND BALANCED REDUCTION OF ALL ARMED FORCES AND ALL ARMAMENTS; CONCLUSION OF AN INTERNATIONAL CONVENTION (TREATY) ON THE REDUCTION OF ARMAMENTS AND THE PROHIBITION OF ATOMIC, HYDROGEN AND OTHER WEAPONS OF MASS DESTRUCTION.

The item on disarmament comprised the following four sub items:—

- (a) Report of the Disarmament Commission;

- (b) Expansion of the membership of the Disarmament Commission and of its Sub-Committee, proposed by India;
- (c) Collective action to inform and enlighten the peoples of the world as to the dangers of the armaments race, and particularly as to the destructive effects of modern weapons, proposed by Belgium; and
- (d) Discontinuance under international control of tests of atomic and hydrogen weapons, proposed by the Soviet Union.

It was generally recognized that the most important item on the agenda of the 12th session of the General Assembly was the one relating to disarmament. Many delegations, including that of India, felt that this item should receive top priority for discussion in the Political Committee and there was hope that the Assembly might take a forward step at least in regard to procedural aspects which would assist future discussions even if it failed to arrive at concrete agreements on substantive measures of disarmament. The Prime Minister of Canada, in his general debate speech before the Assembly, went so far as to predict that the 12th Session would be known as the "Disarmament Assembly".

As early as 10 September 1957, the delegation of India had, in a formal note (DC/114), requested the Disarmament Commission to expedite its report to the Assembly so as to facilitate arrangements to give the disarmament question top priority in discussion by placing it as the first item on the agenda of the Political Committee. On 11 September, the USSR requested an early meeting of the Disarmament Commission to finalize its report. Again on 23 September, India wrote to the Chairman of the Political Committee requesting that the Committee consider disarmament as the first item on its agenda.

On 8 October, the Political Committee decided to consider the disarmament item as the first item on its agenda. By that time, the Disarmament Commission had met and had transmitted its report to the Assembly.

During the period 10 October to 6 November, 1957, the political Committee devoted 28 meetings to the consideration of this item.

When the Committee opened the debate on the item on 10 October, it already had before it the following draft resolutions:—

1. A draft resolution by Belgium (A/3630/Corr. 1) on collective action to inform and enlighten the peoples of the world as to the dangers of the armaments race, and

particularly as to the destructive effects of nuclear weapons. It requested the Disarmament Commission to make recommendations on the nature of the information to be disseminated and requested the Secretary-General to report to the Disarmament Commission on the means available for conducting such an international campaign.

2. Draft resolution proposed by USSR (A/3674/Rev. 1) providing for the discontinuance by agreement among the powers concerned of tests of atomic and hydrogen weapons for a period of two or three years as from 1 January, 1958. It further provided for the establishment of an international commission to supervise the implementation of the agreement and, for that purpose, for the setting up of control posts in certain territories, including that of USA and USSR.
3. Draft resolution submitted by the USSR (A/C.1/L.175/Rev. 1) calling upon "the States possessing nuclear weapons to assume, as a first step, a temporary obligation not to use atomic and hydrogen weapons" on the understanding that if, at the end of five years, no comprehensive international agreement on disarmament has been reached, the question will be reconsidered.
4. Draft resolution submitted by India (A/C.1/L. 176) concerning suspension of tests of nuclear and thermonuclear weapons. During the course of the debate in the Committee, this draft resolution was revised three times.

*First Revision.*—(A/C.1/L.176/Rev. 1).

The main idea that was added to the revised text was the establishment of "a scientific and technical Commission, consisting of two eminent scientists from each side and a Scientific Chairman to be nominated by agreement to report on and supervise the suspension agreements". This was put in because certain delegations felt that some suitable machinery was necessary for the supervision of the agreement on suspension.

*Second Revision.*—(A/C.1/L.176/Rev. 2).

Apart from the addition of a preambular paragraph about possibility of further increase in the dangers and difficulties involved in

the continuation of the tests, the major changes made in the second revision were,

- (i) a rearrangement of the operative paragraphs, and
- (ii) the substitution of "scientific-technical experts representing the *two differing views* together with other eminent scientific-technical participation to be agreed upon by the afore mentioned representatives" for the provision "scientific and technical commission, consisting of two eminent scientists from *each side* and a scientific Chairman to be nominated by agreement".

This change was made in order to meet the objection of certain Western powers to the reference to "each side".

*Third Revision.*—(A/C.1/L.176/Rev. 4).

(Document A/C.1/L.176/Rev. 3 was issued only in Russian language to correct certain errors in translation.)

In addition to certain verbal changes in the preamble, the main changes in the third revision were the following:

(i) substitution of "scientific-technical commission consisting of scientific-technical experts *representing the differing views*" for the provision "scientific-technical commission consisting of *equal numbers* of scientific-technical experts representing the *two differing views*", and

(ii) deletion of the paragraph providing for a formal announcement by the Secretary-General of the operation of the suspension.

Amendment (i) was made again to meet the wishes of the Western delegations, while at the same time preserving the original idea of representation of the differing views.

Amendment (ii) above was made as it was felt that such a provision was not very necessary.

5. Draft resolution of Japan (A/C.1/L. 174) calling upon the Sub-Committee to continue its endeavours to reach agreement without delay on unsettled points of the disarmament problem and calling upon the Member States concerned "to suspend all nuclear tests explosions, from the time an agreement is reached in principle on a supervision and inspection system necessary to verify the suspension of tests until the discussions on the report of the Disarmament Commission at the next regular session of the General Assembly have been concluded".



6. Draft resolution submitted by India (A/C.1/L. 177) proposing that the membership of the Disarmament Commission and of its Sub-Committee be expanded by the addition of new members. The number and the names of members to be added to each body were left unfilled in the draft resolution. The intention was that the blanks should be filled in only if and when general agreement was reached in regard to expanded membership.

7. A third draft resolution presented by India (A/C.1/L. 178) urging that "an armaments truce be established forthwith to end the upward trend in all armaments" and thus to prepare the way for certain other steps in the field of disarmament listed in the draft resolution being undertaken immediately.

This draft resolution was revised twice during the course of the debate in the Political Committee. The changes made in the original text were of a substantial character and these were made in an effort to find a formula acceptable to the Western Powers and the Soviet Union after private consultations with various delegations.

*First Revision.*—(A/C.1/L.178/Rev. 1).

In addition to changes made in the preamble, the operative paragraphs of the draft were completely changed by introducing a new approach to the solution of the problem. This was the proposal for the establishment of a Commission composed of (a) equal numbers of representatives of States holding the two differing views, and (b) representatives of other States to be chosen by agreement between the aforesaid representatives. The Commission so constituted would consider the matters relating to disarmament as enumerated in the revised draft, which included non-use of nuclear and thermonuclear weapons and would report to the Disarmament Commission. The proposed Commission would associate with itself technical experts selected by agreement within the Commission to advise and assist it in appropriate matters.

*Second Revision.*—(A/C.1/L.178/Rev. 2).

The main changes introduced in the new text were the deletion of "two differing views and the substitution of "differing views" and, the deletion of the reference to "equal numbers" in the representation on the new bodies. These changes were made after being convinced that the Western Powers would not accept the original formula and in the hope that the revised wording would still provide for a balanced representation acceptable to the Soviet Union.

The following additional proposals and amendments were submitted to the Committee after it began discussion of the item:

1. A joint draft resolution was submitted by 24 Powers including four of the five members of the Sub-Committee, namely, Canada, France, United Kingdom and the USA. (A/C.1/L. 179. Corrl. and Add. 1). This draft resolution in effect sought the Assembly's endorsement of the London proposals of 29 August 1957 (see report of the Disarmament Commission DC/113), which were already rejected by the Soviet Union.

2. A draft resolution submitted by Yugoslavia (A/C.1/L. 180) which urged the Sub-Committee to seek agreement on various aspects of disarmament and further to seek agreement, as a matter of priority, on an immediate cessation of tests of nuclear and thermo-nuclear weapons, with necessary measures of control.

3. A draft resolution by USSR (A/C.1/797) proposing the establishment of a permanent Disarmament Commission composed of all the States Members of the United Nations.

4. The amendments submitted to the various draft resolutions were:

- (i) Amendment by Bolivia, Costa Rica, El Salvador, Mexico and Uruguay (A/C.1/L.181/Rev. 1) to the 24-Power draft resolution. This amendment proposed the addition of a paragraph inviting the Sub-Committee to consider the possibility of devoting the funds made available as a result of disarmament for development purposes particularly in less developed countries.
- (ii) Amendment by India (A/C.1/L.182) to the 24-Power draft resolution. The main objectives of the amendments were:
  - (a) to recall by referring to resolution 808(IX) that the final objective of the Assembly was still comprehensive disarmament;
  - (b) to bring in the proposals of India on cessation of tests as contained in India's draft resolution; and
  - (c) to introduce the question of non-user of weapons to which the Soviet Union attached great importance and which was a significant omission in the 24-Power text.
- (iii) An amendment by Norway and Pakistan (A/C.1/L.184) suggesting to the Sub-Committee that it establish a group or groups of technical experts to study inspection systems

for disarmament measures on which the Sub-Committee may reach agreement in principle. Such group or groups were to be composed of one expert from each member State on the Sub-Committee and one each from three other Member States to be designated by the Secretary-General. This proposal, it will be noticed, is based on the proposals contained in the Indian draft resolutions referred to earlier.

- (iv) Amendment by Poland (A/C.1/L.185) to the draft resolution of Belgium. The Polish amendment proposed certain additions to the preamble of the Belgian draft, by which the Assembly would emphasize the need for discontinuance of tests and of reaching a disarmament agreement with the effective measures of control.
- (v) Amendment by Ukraine (A/C.1/L.186) to the USSR draft resolution on the establishment of a permanent Disarmament Commission. This amendment provided that all proposals and documents on disarmament submitted to the 12th session of the General Assembly be transmitted to the proposed permanent Commission for examination.

The debate in the Political Committee made it abundantly clear that the Western Powers, and particularly France and the United Kingdom were in no mood to move away from the position they took on the London proposals of 29 August 1957. The 24-Power draft resolution, as pointed out earlier, was a reproduction of the London proposals. It was also obvious that the Western Powers would be able to gather enough votes to get their resolution through and to prevent any other proposal being adopted. However, there was general recognition that the adoption of the 24-Power resolution would not in any way advance the cause of disarmament.

Strong opposition to discontinuance of tests of nuclear and thermonuclear weapons came from France and the United Kingdom although Canada, U.S.A. and a number of other countries supported the view that stoppage of tests should be linked to the cut off of production of fissionable material for weapons purposes. The Western Powers were also not in favour of expanding the membership of the Disarmament Commission or its Sub-Committee.

The Chairman of the Indian Delegation in his first intervention in the debate at the 873rd meeting on 16th October, pointed out that although the item before the Committee was called disarmament, it

was actually discussing the problem of human survival and appealed to all delegations to approach the matter from that angle. He explained the urgency of the problem and the dangers involved in delaying an agreement on disarmament, even in regard to initial steps. As regards suspension of tests, Mr. Krishna Menon quoted various authorities to show the dangerous potentialities of substances released by these explosions and argued against linking of the stoppage of tests to other major issues of disarmament as has been proposed by the Western Powers. He said that no positive results could be expected by the adoption of the 24-Power draft resolution.

Mr. Moch, the representative of France, spoke very strongly at the 877th meeting against suspension of tests except as a part of the Western package and in doing so tried to minimize the dangers of radioactive fall out resulting from test explosions. He was also opposed to any change in the membership of the Disarmament Commission or its Sub-Committee. According to him the only action to be taken by the Assembly was to endorse the London proposals of 29 August 1957.

Mr. Krishna Menon in his second intervention at the 885th meeting provided the Committee with further scientific evidence to refute Mr. Moch's contention regarding the so-called "safe levels" and genetic effects. The representative of India recalled that India had proposed the suspension of tests as early as 1954, long before the Soviet Union had expressed any views on the subject. The overwhelming weight of world public opinion, he said, was behind the demand for the suspension of test explosions and, in support of his statement, quoted surveys of public opinion as expressed in various countries, including U.S.A., France and the U.K. Radiation, however small the dose, increased the rate of genetic mutation and consequently there was no "safe level" so far as genetic effects were concerned. There was no justification for deliberately adding to the natural background of radiation. As for detection of tests explosions, the problem did not present any technical difficulties and no elaborate machinery would be required to set up the necessary controls. He appealed to the great Powers to reach an agreement on this problem. With the development of intercontinental missiles, disarmament had entered a critical phase and it was time that the great Powers sought co-operation and not a wasteful arms race. He emphasized the need for a fresh approach to the whole problem.

At the 890th meeting of the Committee, when it was known that the Western Powers would not agree to any change in the composition of the Disarmament Commission, the representative of the Soviet

Union announced that the Soviet Union would not participate in the work of the Disarmament Commission and of its Sub-Committee as then constituted.

Intervening in the debate for the third time on 6 November, Shri Krishna Menon said that India profoundly regretted the Soviet statement regarding non-participation in the work of the Disarmament Commission and its Sub-Committee. He added that such a tragic situation could not be allowed to continue and that negotiations on disarmament must be resumed.

He regretted that the prolonged debate had failed to bring about agreement on disarmament closer. He deplored the rigidity of the Western Position—particularly the position taken by France—and said that nothing would be gained by taking up rigid positions by either side. India had tried to present an independent view and emphasized that progress towards disarmament was not a matter of winning a political battle, but ensuring the survival of the human race. Adoption of the 24-Power draft resolution, he pointed out, would mean that the moral force of the Assembly was being used to strengthen the rigid position of the Western Powers. He hoped that time would render the opposing positions more flexible.

The Chairman of the Indian Delegation concluded by stating that India would vote for its own proposals as well as for the Yugoslav draft resolution (A/C. 1/L. 180). India could not vote for the 24-Power draft resolution even though the sponsors had accepted one Indian amendment, which recalled the General Assembly resolution 808(IX), nor for the Japanese draft.

At the 892nd meeting on 6 November, the Committee began voting on the various proposals before it. The voting was completed only at the next meeting.

A motion by U.S.S.R. to give priority in voting to its draft resolution for the establishment of a Permanent Disarmament Commission was rejected by 40 votes to 10, with 27 abstentions.

A motion by France, U.K. and U.S.A. to give priority in voting to the 24-Power draft resolution was adopted by roll-call vote of 50 to 14 with 17 abstentions. India voted against the motion. The Committee then proceeded to vote on the 24-Power draft resolution and amendments thereto.

The first Indian amendment in document A/C1/L.182, which was accepted by the sponsors was adopted by 71 votes to none, with 9 abstentions. The remaining three amendments were rejected, the

second receiving 12 votes in favour, 40 against with 25 abstentions, the third receiving 11 votes in favour, 40 against with 26 abstentions, and the fourth receiving 17 votes in favour, 41 against with 21 abstentions.

The amendment submitted by Bolivia, Costa Rica, El Salvador, Mexico and Uruguay was adopted by 71 votes to none with 10 abstentions.

The amendment submitted by Norway and Pakistan was adopted by 61 votes to 9 with 10 abstentions.

The 24-Power draft resolution, as amended, after being adopted paragraph by paragraph, was adopted as a whole by roll-call vote of 57 to 9, with 15 abstentions. The abstentions were 13 Asian-African countries including India, Finland and Yugoslavia.

The Indian draft resolution on cessation of tests (A/C.1/L.176/Rev.4) was rejected by roll call vote of 22 in favour, 38 against, with 20 abstentions.

The Japanese draft resolution, less sub-paragraph (a) of operative paragraph 1, which was not put to the vote at the request of the sponsor, was rejected by roll call vote of 32 to 18, with 31 abstentions. India abstained.

The U.S.S.R. draft resolution (A/C.1/L.175/Rev.1) regarding non-user of atomic weapons was rejected by roll-call vote of 45 to 11, with 25 abstentions. India abstained in the vote.

The U.S.S.R. draft resolution on establishment of a Permanent Disarmament Commission, as amended by the Ukraine, was rejected by roll-call vote of 51 to 9 with 21 abstentions. India abstained.

The second Polish amendment (A/C.1/L.185) to the Belgian draft resolution was accepted by the sponsor. The other Polish amendments were rejected by the Committee and the Belgian draft resolution was adopted by roll-call vote of 70 to 9, with 2 abstentions. India voted for the resolution.

The remaining draft resolutions, including two drafts by India, were not put to the vote at the request of the respective sponsors.

The Political Committee thus concluded its debate on disarmament by adopting the 24-Power draft resolution and the Belgian draft resolution on dissemination of information. It was obvious to everyone that although the Western Powers had scored an apparent victory, the situation had become worse than when the Committee

took up consideration of the disarmament problem in that the Committee discussions failed even to provide an acceptance machinery for the continuation of disarmament negotiations.

In these circumstances, some time was allowed to elapse before the General Assembly took up the report of the Political Committee in the hope that some compromise solution might be worked out through private negotiations. The Assembly finally took up the question at its 715th meeting on 14 November. The representative of El Salvador then proposed that, in view of the private negotiations that were taking place among delegations regarding expansion of the membership of the Disarmament Commission and its Sub-Committee, the consideration of that part of the item be postponed. The proposal was supported by India, whose representative Mr. Arthur S. Lall stated that a great deal of reasonableness had been shown on all sides in the private negotiations and asked that some more time be given for these negotiations to result in some agreement. After the U.S. also had expressed its support for the motion, it was carried by a vote of 65 to none, with 9 abstentions.

In the Assembly, India re-introduced its draft resolution on cessation of tests (A/C. 1/L.176/Rev.4), which was earlier rejected by the Committee. This was circulated as document A/L.232. In re-introducing the draft resolution, Mr. Lall told the Assembly that the Government of India felt that it was giving expression to a widespread concern about the effects of these tests on the health and welfare of mankind. It was high time, he said, that the Assembly took into account the fact that radioactivity had unknown effects and that, therefore, there was too great a risk in exposing mankind to continuing tests which produced more and more radioactive products. With regard to the 24-Power draft resolution, which was before the Assembly, Mr. Lall said that the text represented views which were reached by certain delegations in discussions before the 12th session of the Assembly convened and that an endorsement of these views by the Assembly would not conduce to further realistic discussions on disarmament and would not help to create a situation from which further progress could be made. For that reason, India was unable to support that draft resolution.

The U.S.S.R. re-introduced in the Assembly its draft resolution (A/L.230) on establishment of a Permanent Disarmament Commission.

At the 716th meeting on 14 November the General Assembly voted on the two draft resolutions recommended by the Political Committee. The first draft (originally, the 24-Power draft) was approved by 56

votes in favour, 9 against and 15 abstentions, including India. The second (originally Belgian draft) was approved by 71 votes to 9 with Syria abstaining. India voted for the resolution.

At the 718th meeting on 19 November, the Assembly voted on the Indian draft resolution on tests. It was rejected by 24 votes in favour, 34 against and 20 abstentions.

The Assembly then proceeded to the consideration of the question of membership of the Disarmament Commission. During the consideration of the matter, the following proposals were presented to the Assembly in addition to the Soviet proposal already referred to:

1. A draft resolution by Canada and Japan (A/L.231) proposing the addition of ten members to the Disarmament Commission, namely, Argentina, Australia, Belgium, Brazil, Burma, Czechoslovakia, India, Italy, Tunisia and Yugoslavia.
2. Amendment to the draft resolution of Canada and Japan presented by 18 Latin American countries (A/L.233) proposing to add Mexico to the list of Canada and Japan.
3. Amendment by India, Sweden and Yugoslavia (A/L.234) proposing the addition of Egypt, Mexico, Norway and Poland to the list proposed by Canada and Japan.

After a great deal of private negotiations, a draft resolution was submitted jointly by Canada, Japan, India, Sweden, Yugoslavia and Paraguay (A/L.231/Rev.1) proposing the addition of 14 new members, namely the ten proposed originally by Canada and Japan and the four proposed by India, Sweden and Yugoslavia.

To the new joint proposal, Albania submitted an amendment (A/L.236) to add another 7 members, namely Austria, Bulgaria, Ceylon, Finland, Indonesia, Rumania, and Sudan.

India joined the others in proposing an addition of 14 members to the Disarmament Commission in the belief that such a composition would be acceptable to the Western Powers as well as to the Soviet Union. However, after the revised joint proposal (A/L.231/Rev.1) was circulated, it became known that the revised composition would not be acceptable to the Soviet Union. While India was disappointed that its prolonged and persistent efforts to bring about an acceptable solution were not successful, it decided to stand by the draft resolution it had co-sponsored and to vote for it. On the other hand, Yugoslavia, which was also a co-sponsor, chose to withdraw



its sponsorship of the draft and not to take part in the voting. In this connection, it is useful to quote here an extract from the statement of the Yugoslav representative, which explains the position in which she and the other co-sponsors found themselves:

"Clearly, my delegation did not regard the proposed composition of the Commission as perfect. We are all aware that the machinery alone cannot have decisive significance as regards genuine progress. The formula at which we arrived, however, after the sponsors of the draft resolution had accepted the amendment, appeared to be best suited to what could be achieved in present conditions and to constitute a significant advance over what had been found so far. We were convinced that the adoption of the draft resolution might make it possible to continue disarmament talks on a new and more favourable basis and might prevent the discussion of the disarmament question at this session of the Assembly from ending in an impasse.

The delegation of Yugoslavia therefore found it possible, as did India, Sweden, Canada and Paraguay, to join the original sponsors of the draft resolution.

All the efforts of my delegation and of other delegations were, I think, based on the conviction that the solution proposed could be generally accepted. The statement made this morning by the U.S.S.R. representative, however, indicated that the proposed composition of the Commission is not acceptable to one party in the disarmament talks and cannot, therefore, serve as a framework for further activities in the field of disarmament. My delegation cannot but note with regret that the solution proposed in the draft resolution of which my delegation is one of the sponsors has not been accepted and that the efforts at compromise have thus failed.

In these circumstances, my delegation completely disengages itself from further efforts at this stage. Consequently, it will not participate in the vote and will not continue to be one of the sponsors of the draft resolution."

Following the Yugoslav statement, the Assembly voted on the two draft proposals before it and the Albanian amendment. The U.S.S.R. draft on the establishment of a Permanent Disarmament Commission was rejected by roll-call vote of 46 to 9 with 24 abstentions. India abstained. The Albanian amendment was rejected by 38 votes to 19

with 19 abstentions. India voted for the amendment. The draft resolution of Canada and others (A/L.321/Rev.1) was then adopted by roll-call vote of 60 to 9 with 11 abstentions, Yugoslavia not participating in the vote. India voted for the resolution.

In explaining India's vote, the representative of India stated: "I do not yet know whether we have reached a real impasse in this matter; but if we have, it would be the hope of the delegation of India that efforts will continue—and, in our view, they should continue—towards reaching a solution which will result in disarmament discussions going forward".

### EFFECTS OF ATOMIC RADIATION

1. This item was included in its agenda by the General Assembly at the 682nd meeting on 20 September 1957 at the request of Czechoslovakia. The request was contained in a cablegram of 12 July, 1957 from the Foreign Minister of Czechoslovakia to the Secretary-General (document A/3614).

2. An explanatory memorandum (A/3614/Add.1) was presented on 26 August. It pointed out that developments in the use of nuclear energy in the past years had resulted in a constant increase in the levels of radioactive radiation on a global scale, which caused deep anxiety to world public opinion. Referring to the work of the Scientific Committee on the Effects of Atomic Radiation set up under General Assembly resolution 913(X), the Czechoslovak memorandum said that it would serve a highly useful purpose if the scientific committee would continue to make an intensive study of the effects of atomic radiation—in particular on man and his environment—and also of the possibility of convening a broad scientific conference on this problem. It called for an immediate action to prevent any further increase in the levels of radioactive radiation.

3. The first Committee considered this item at its 894th to 898th meetings held from 7th to 11th November 1957.

4. Opening the debate on this item at the 894th meeting, the Czechoslovak delegate said that in the matter of radioactivity mankind was threatened by an acute danger the extent of which could hardly be fore-seen. He said that the U.N. Scientific Committee on the Effects of Atomic Radiation had been studying this problem for the past 2 years and would present its report at the 13th session of

the General Assembly. As a result of a constant rise in the levels of radioactive radiation, he added, it was necessary to complete the work of that committee by the views of scientists from all parts of the world at a conference to be held not later than the beginning of 1959.

5. The Committee had before it a Czechoslovak draft resolution (A/C.1/L.183) whereby the Assembly would recommend that a scientific conference on the effects of atomic radiation be held under U.N. auspices.

6. The United States, alongwith seven other nations, submitted a draft resolution (A/C.1/L.187) at the 896th meeting calling upon all concerned to continue their co-operation in making available information within the terms of reference of the Scientific Committee on the Effects of Atomic Radiation. It was later revised making certain changes in the preamble and adding Mexico to the list of sponsors.

7. Japan introduced amendments (A/C.1/L.188) to this draft elucidating the type of information to be made available to the Scientific Committee. It would also request the Secretary-General to study the need and the method of strengthening the functions of this Committee.

8. Towards the close of the general debate, the Chairman of the Indian delegation, Shri V. K. Krishna Menon appealed to the delegates not to inject controversies over the "cold war" and the suspension of tests into the discussion on this item. Speaking at the 897th meeting he said that the two draft resolutions presented by Czechoslovakia, and the U.S.A. alongwith eight other powers, agreed on many points, but in their statements the Czechoslovak and U.S. delegates had made several assertions of a political character. Furthermore, some of the conclusions put forward by the U.S. delegate were not borne out by published scientific opinion. He added that it would be desirable for the committee to have before it a single draft resolution incorporating all the ideas contained in the two draft resolutions and some of the suggestions made by Japan.

9. Through intensive behind-the-scenes negotiations, India was able to find a compromise draft resolution (A/C1./L.189) co-sponsored by 15 other nations, including Japan and the U.S.A. It would:—

- (1) call upon all concerned to continue their co-operation in making available information within the sphere of the Scientific Committee's terms of reference; (2) request the Scientific Committee to complete its report at the earliest possible date and to make that report available to all

Members of the United Nations, the specialized agencies and to the second conference on the peaceful uses of atomic energy; (3) request the Secretary-General, in consultation with the Scientific Committee, to consider the question of the strengthening and widening of scientific activities in this field, taking into account in this connexion the discussion of the item at the twelfth session of the Assembly, together with the proposals submitted thereunder, and to report to the thirteenth session of the Assembly; (4) decide to include in the Agenda of its thirteenth session the report of the Scientific Committee; (5) transmit to the Scientific Committee the record of the discussion of the item "Effects of atomic radiation" in the First Committee.

10. Before this compromise draft was introduced by Shri Arthur S. Lall, Permanent Representative of India to the U.N., the sponsors of the other draft resolutions and amendments announced their decision not to press their proposals to a vote. The 16-power draft was thereupon adopted unanimously.

11. The Plenary considered the Report of the First Committee (A/3731) at its 715th meeting on 14 November 1957. The resolution recommended by the First Committee was adopted unanimously.

### THE QUESTION OF CYPRUS

At the request of the Greek delegation, a two point item on Cyprus was included in the agenda of the 12th session of the General Assembly *without* formal vote. The two parts of the item were as follows:

- (a) Application under the auspices of the United Nations, of the principle of equal rights and self-determination of peoples in the case of the population of the island of Cyprus;
- (b) Violations of human rights and atrocities by the British Colonial Administration against the Cyprians.

Part (B) of the item was additional this year whereas the Government of U.K. who had introduced a counter-complaint last year under the heading "complaint by the United Kingdom of Great Britain and Northern Ireland of support from Greece for terrorism in Cyprus" did not renew it this year. In the explanatory memorandum the Greek delegation drew attention to the General Assembly

resolution at 11th session (moved by India) expressing a desire that a peaceful solution of the problem in conformity with the principles of Charter would be found and stated "no progress had been made in the achievement of this aim and that the situation had further deteriorated."

The First Committee discussed this item at its 927—934th meetings inclusive, held between 9—12 December, 1957. The Draft resolution was introduced at the beginning of the discussion in the Committee, and provided that the General Assembly (a) having examined the question of Cyprus, (b) expressing its concern that no progress had been made towards the solution of that problem in compliance with the operative paragraph of resolution 1013(XI) of 26 February 1957, and (c) considering further that the situation in Cyprus was still fraught with danger and that a solution in conformity with the principles of the Charter and at the earliest possible time was required to preserve peace and stability in that area, would express the wish that the people of Cyprus be given the opportunity to determine their own future by the application of their right to self-determination.

The tone of the general debate on this question this year was milder than last year though there were some exchanges of hot words between the Greek Foreign Minister, Mr. Averoff and the representative of Turkey, Ambassador Sarper. 43 countries took part in the general debate in the committee whereas representatives of India, Iraq and Mexico expressed their views at the stage of explanation of votes.

The general debate opened with a statement by Commander Noble, the representative of the U.K. He stated that the Cyprus question was not a colonial dispute; the core of the problem was to be sought in the international disagreement between the Governments of Greece and Turkey. He declared that the aim of his Government's policy was to find a solution acceptable to all concerned. Referring to the incidents in Cyprus, he reiterated his Government's stand on Article 2(7) of the Charter and said that this was a matter falling within the domestic jurisdiction of his Government.

Commander Noble also informed the Committee that some progress was made towards the fulfilment of the Assembly's resolution at the 11th session and further progress in the same direction was required.

Mr. Averoff-Tossizza, the Greek Foreign Minister explained the Greek delegation's views on the Cyprus question. The burden of his argument was on the application of the right of self-determination.

for the people of Cyprus. Refuting the charges levelled by the U.K. representative, Mr. Averoff stated that the intention of the U.K. was to perpetuate the colonial regime of Cyprus to serve the strategic needs of certain powers and that his Government was willing to accept in advance any decision which the Cypriots take under self-determination.

As usual, the third speaker in the general debate on this question was Ambassador Sarper who outlined the Turkish Government's views on this question. He opposed to the Greek proposal as unjust and feared that it would add further and serious complications to the existing complexity of the Cyprus question. In his opinion the doors should be left open to efforts made in goodwill and in a spirit of co-operation conducive to a settlement acceptable to all concerned and in the best interests of the U.N. as a whole.

At the conclusion of presentation of the view-points of the main three parties involved, the representative of Soviet Union, Mr. Y. V. Peive made a short statement stating that the only just solution would be the unconditional recognition of the right of the people of Cyprus to self-determination and the withdrawal of all foreign troops and bases from the island.

The general debate on this question in the First Committee showed the complexity of the problem because of the special circumstances involved. The majority of speakers expressed concern that more progress had not been made towards a solution since the adoption of Assembly's resolution of February 26, 1957. They felt that in view of the serious situation on the island of Cyprus, a solution should be found as soon as possible. Different opinions, however, were expressed as to the manner in which the Assembly could contribute to the achievement of a solution. A number of representatives contended that it would not suffice merely to repeat the ideals embodied in the resolution of 11th session. They emphasized the need for the Assembly to set up an outline for negotiations between the U.K. Government and the representatives of people of Cyprus with a view to having the right of self-determination of peoples applied in the case of people of Cyprus. Other delegations maintained that the Assembly, in view of the special circumstances existing in the case of Cyprus should not in any way prejudice further negotiations between the Governments of U.K., Greece, Turkey and the representatives of people of Cyprus. They suggested therefore that the Assembly should express the wish that by such negotiation a solution be found in conformity with the principles of Charter.

The tenor of the general debate had made it clear that there was no scope for a draft resolution acceptable to all and that the Greek draft resolution would not get the required 2/3rds majority in the Assembly. In order to make the Greek draft resolution acceptable to some of other delegations, Canada, Chile, Denmark and Norway introduced amendments (A/C.1/L.199) which would (1) insert a new paragraph in the preamble reaffirming resolution 1013(XI); (2) replace the existing second paragraph of the preamble by a paragraph expressing the General Assembly's concern that more progress had not been made towards the solution of this problem; (3) replace the existing third paragraph of the preamble by a revised paragraph considering further that the situation in Cyprus was still fraught with danger and that a solution at the earliest time was required to preserve peace and stability in that area; (4) replace the operative paragraph by a new text under which the Assembly would express its earnest hope that further negotiations and discussions between those concerned would be promptly undertaken in a spirit of co-operation with a view to finding a peaceful, democratic and just solution, in conformity with the Purposes and Principles of the Charter of the United Nations. The effect of these four power amendments was to water down the Greek draft and to change its main operative part regarding application of the right of self-determination. The Greek delegation accepted the amendments to the preamble but rejected the amendments to the operative part, and in turn submitted a sub-amendment to the four-power amendments which would express the Assembly's earnest hope that further negotiations and discussions would be undertaken in a spirit of co-operation with a view to having the right of self-determination applied in case of people of Cyprus. This was a tactical move on the part of the Greek delegation to re-introduce the substance of the operative paragraph of its original draft resolution. The voting on the amendments and draft resolution took place on 12 December 1957. The only point at issue was the operative clause, and in voting the provision sponsored by Greece in its sub-amendment was adopted by a roll call vote of 33 to 18 with 27 abstentions. All members of the Soviet Group, three Eastern Arabs and western powers and some members of Asian-African Group voted in favour. Only six members of the Latin American Group voted in favour. Votes against were mainly cast by the members of the NATO and the Scandinavians. The 27 abstentions included among others, India and United States.

The first paragraph of original Greek draft resolution was adopted by a vote of 72 to none, with 3 abstentions and the remainder of the preamble, as amended, was adopted by 75 votes to none with 4 abstentions. The Greek draft resolution as a whole, as amended, was then

adopted by a roll call vote of 33 to 20, with 25 abstentions. The same 33 States voted for it as had voted for the operative clause as proposed by Greece. Spain which voted against that para, abstained in the vote as a whole and Dominican Republic, Nicaragua and Pakistan which had abstained in the earlier vote, voted against the resolution as a whole. India abstained.

The support for the Greek draft dwindled further when the draft resolution thus recommended by the first committee was voted on by the Assembly itself in plenary meeting on December 14; the vote was 31 in favour, 23 against, with 24 abstentions. Having failed to receive the required 2/3rds majority the resolution failed to be adopted. Thus at the 12th session, the Assembly failed to adopt any resolution on two important political questions, West Irian and Cyprus.

The Chairman of the Indian Delegation, Mr. V. K. Krishna Menon explained the views of the Government of India on this complicated issue. He reiterated the Government of India's belief that the Cyprus question was a colonial question and the recognition of the right of the people of Cyprus for complete independence and attainment of statehood and membership of the United Nations. He briefly reviewed the past history of Cyprus. He explained that the legal sovereignty of Cyprus rested with the U.K. and political sovereignty rested with the Cypriot people and when the legal sovereignty which was obtained by annexation was removed, then the Cypriot people, irrespective of their nationality and origin, would be members of "Cypriot State" when they become independent nation. He further said that there must be independence before choice. Mr. Menon emphasized that there was no question of who should have Cyprus but the question of Cypriots attaining independence and he hoped that the Government of the U.K. in its tradition strive to attain this aim. Mr. Menon then explained how Cyprus as an independent nation in the Mediterranean, without any external interference, can be asset to the world peace.

Referring to the Lausanne Treaty, which provided for transfer of sovereignty over Cyprus from Turkey to the U.K., Mr. Menon stated that there was no equilibrium established by that Treaty. He cited certain paragraph of the treaty to show that Turkey had renounced all rights to Cyprus by that treaty and that whatever Turks were left in Cyprus would attain British nationality. Therefore, he continued that the main parties in this problem were the people of Cyprus who were entitled to their freedom and the British Government which held possession of the territory.



Mr. Menon denounced the use of force by either party in this dispute; and hoped that the objectives of independence and statehood would be achieved peacefully as had been the case in India.

The Chairman of the Indian Delegation concluded his statement with explanation of India's abstention on the resolution passed by the Committee. He made it clear that India's abstention was not to be construed as support to colonialism but because it had become clear that any decision that did not command unanimity would not have any results. Effective decision in such cases could be taken only if there was agreement between both sides, and secondly in the opinion of the Indian Delegation it was not for the U.N. to decide which way the people of Cyprus would decide to go in future.

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#### QUESTION OF ALGERIA

The question of Algeria came before the General Assembly for the second time in 1957 when the General Assembly decided to include this item in the Agenda of the 12th Session on the request of 22 Asian-African countries, including India (A/3671). This matter had been debated by the 11th Session of the General Assembly and in February 1957 the Assembly adopted a resolution which expressed the hope that "in a spirit of co-operation, a peaceful, democratic and just solution" would be found through appropriate means, in conformity with the Charter of the United Nations. The explanatory memorandum attached to the request for inclusion stated that there had been no indication of progress toward a solution, and that suffering and loss of life in Algeria were increasing.

The First (Political) Committee discussed this item at its 913th to 926th meetings inclusive, held between 27 November and 6 December 1957. The general tone of discussion this year was milder than last year but at the same time it was clear from the beginning that the prospects for a unanimous resolution this year were very meagre. The Delegation of France had done intensive canvassing among the Delegations, especially the Latin Americans, with a view to see that no resolution on this question gets 2/3rd majority in the Assembly. On the other hand some of the Asian-African countries and especially the Arabs were insisting on a stronger and substantial resolution containing directives for negotiations between the French Government and the Algerian people for independence of Algeria. There

was an apparent rift between the Eastern Arabs and Western Arabs and a keen rivalry for campaigning for the cause of Algerian independence. The Indian Delegation worked hard to harmonize the conflicting viewpoints and presented a compromise formula acceptable to all. But these efforts did not bear fruit in the Committee and the First Committee had no resolution to recommend to the Assembly for adoption on this item. It was very late that the interested parties realized that it was better to have some resolution rather than no resolution at all, and ultimately the Assembly passed a resolution unanimously expressing the wish that, in a spirit of effective co-operation, pourparlers will be entered into, and other appropriate means utilized with a view to a solution, in conformity with the purposes and principles of the Charter of the United Nations.

The Representative of India, Shri V. K. Krishna Menon, in a brief intervention in the general debate in the First Committee referred to the continued sufferings of the French and Algerian peoples due to war in the region of North Africa and expressed a hope that the General Assembly would again adopt a unanimous resolution in the matter which would at least not aggravate the situation. He, however, declared that "India stands foursquare on the principle of national independence" not bound by any religious, racial or creed limitations and that the Government of India and the Indian people will at no time make any compromises in regard to the independence of colonial peoples.

In the absence of any compromise resolution acceptable to all, 17 Asian and African nations introduced a draft resolution on 5 December 1957 (A/C.1/L.194) by which the General Assembly (a) having discussed the Algerian question, (b) recalling its resolution 1012 (XI) of 15 February 1957, (c) regretting that the hope expressed in that resolution had not yet been realized, (d) recognizing that the principle of self-determination was applicable to the Algerian people, (e) noting that the situation in Algeria continued to cause much suffering and loss of human life, would (in the operative part) call for negotiations for the purpose of arriving at a solution in accordance with the principles and purposes of the Charter of the United Nations. However this draft was not acceptable to France and other Western powers and six Latin American countries along with Italy submitted another rival draft resolution (A/C.1/L.195) by which the Assembly (a) having heard the statements made by various delegations and having discussed the question of Algeria, and (b) bearing in mind the situation in Algeria, which continued to cause much suffering and loss of lives, would: (1) take

note of the attempts which had been reported to the Assembly to settle the problem both through the good offices of Heads of State and by French legislative measures; and (2) express the hope once again that in a spirit of co-operation, a peaceful, democratic and just solution would be found, through appropriate means, in conformity with the principles of the Charter of the United Nations.

It was clear from the beginning that the Arabs would not accept the wording of the Latin American draft which deleted the provisions of right of self-determination from the original Asian-African draft resolution. It was also clear that the 'loi-cadre' which the French had adopted would be totally unacceptable to the Algerians as a basis for the political evolution of Algeria. Secondly that the Algerians would not accept a cease-fire prior to or divorced from political discussions which would recognize the independence of Algeria or at least its right to determine, its own future.

Delegations of Canada, Ireland and Norway also presented amendments to the Asian-African draft resolution which in substance was same as Latin draft but was worded in a form acceptable to more members. The Asian-African countries declared that they would neither support the Latin draft nor the 3 power amendments. However, the amendments were put to a vote and adopted by 37 votes to 36 with 7 abstentions. Most Latins, Scandinavians and Europeans voted in favour whereas Soviet Block and Asian-African Countries against. As the amendments had changed the operative part of the Asian-African draft resolution they also voted against the resolution as a whole as amended and it was rejected by 37 votes to 37 with 6 abstentions. Fearing the same fate the Latins did not press their resolution to a vote. The result was that the First Committee did not recommend any resolution to the Assembly on this question. The situation was, however, rescued in the plenary and mostly with our initiative and a unanimous draft resolution was passed by the Assembly, the operative part of which is more or less the same as last year. The Delegation of France was very appreciative of our efforts to get an unanimous resolution.

Following is a breakdown on the ballot cast when the seventeen-power draft resolution came to a vote in the First Committee:—

*In favour:* Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Portugal, Spain, Sweden, U.K., USA, Uruguay, Venezuela, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic,

Ecuador, El Salvador, Finland, Honduras, Iceland, Ireland, Israel, Italy, Laos (total 37).

*Against:* Libya, Malaya, Morocco, Nepal, Pakistan, Poland, Romania, Saudi Arabia, Sudan, Syria, Thailand, Tunisia, Ukrainian USSR, USSR, Yemen, Yugoslavia, Afghanistan, Albania, Bulgaria, Burma, Byelorussian USSR, Ceylon, Czechoslovakia, Egypt, Ethiopia, Ghana, Greece, Haiti, Hungary, India, Indonesia, Iran, Iraq, Japan, Jordan, Lebanon, Liberia (total 37).

*Abstaining:* Mexico, Philippines, Turkey, Bolivia, Cambodia, Guatemala (total 6).

### THE QUESTION OF WEST IRIAN

The inclusion of this item in the agenda of the Twelfth Session had been requested by 21 Asian-African nations, including India, on 16 August 1957. In an explanatory memorandum accompanying this request (Doc. A/3644) the 21 powers referred to a discussion of this question at the three previous sessions of the Assembly and the failure of the resolution recommended by the First Committee to receive the required two-thirds majority at the eleventh session. It noted that the dispute between the Netherlands and Indonesia continued to exist, and that such a situation was likely to increase the dangers inherent in it. It emphasized the importance of U.N. action in promoting a peaceful solution of this problem and urged a discussion of the question by the General Assembly for making appropriate recommendations to the parties.

At its 682nd meeting the Assembly decided to include this item on its agenda by a roll-call vote of 49 to 21, with 11 abstentions, and referred it to the First Committee.

The Committee considered the item at its 905th to 912th meetings held from 20 to 26 November 1957. The discussion was opened by the Foreign Minister of Indonesia who said that a solution of this question was imperative not only in the interest of Indonesia, but in the interests of international peace and security. Recalling that the U.N. had failed to take any action previously, he added that Indonesia had once again come before the world organisation seeking a peaceful solution of this question. He declared, however, that it was difficult to say whether it was its last effort.

The delegation of the Netherlands and Australia reiterated their previous opposition to any U.N. action on this question.

A draft resolution (A/C.1/L.193) co-sponsored by 19 Asian-African countries, including India and Indonesia was introduced at the 906th meeting by the representative of Ceylon. It provided that the General Assembly, viewing with deep concern the prolongation of the political dispute involved in the question of West Irian (West New Guinea), which was likely to endanger the peaceful development of that area, and realizing that a peaceful solution of the problem should be obtained without further delay, would: (1) invite both parties to pursue their endeavours to find a solution of the dispute in conformity with the principles of the United Nations Charter; and (2) request the Secretary-General to assist the parties concerned as he deemed it appropriate in the implementation of the resolution and submit a report of the progress to the thirteenth session of the General Assembly.

The Chairman of the Indian Delegation, Shri V. K. Krishna Menon, intervened in the debate on 26 November 1957. He declared that India regarded West Irian as a problem of the completion of the liberation of Indonesia from colonial rule. He said that West Irian was a part of the Netherlands East Indies (Indonesia) and Indonesia was entitled to complete sovereignty over it. He recalled that in the information submitted by the Netherlands to the Committee on Information from Non-Self-Governing territories on 24th August 1948, before Indonesia became free, had clearly established what constituted Indonesia. The geographical definition given by the Netherlands Government indicated that there was no separate West Irian territory and that West Irian was merely a part of Indonesia. He added that as such free Indonesia was entitled to complete sovereignty over all of her territories.

Referring to the draft resolution, the Chairman said that its only purpose was to obtain a peaceful settlement between the parties. He complimented Indonesia for co-sponsoring this draft resolution and thus showing great generosity and a spirit of conciliation. Despite its unquestioned sovereignty over West Irian, Shri Krishna Menon pointed out, it was asking the Netherlands to negotiate on this problem. He added that since the proposal in the draft resolution called upon the parties to find a solution in accordance with the principles of the Charter, the question of their respective obligations under it could be dealt with as the negotiations progressed. He

appealed to all delegations, whatever their reservation on this question might be, to vote for this draft as negotiations between the parties concerned provided the best means of dispelling them.

Later at the same meeting the Committee proceeded to a vote and adopted the draft resolution by a roll-call vote of 42 to 28 with 11 abstentions.

The Plenary considered the Report of the First Committee (A/3757) at its 724th meeting. Speaking there, India's Permanent Representative to the U.N., Shri Arthur S. Lall, observed that it would not be consistent with the Charter of the United Nations to try to get away from the fact that a dispute existed and to say that the U.N. could play no role in that matter. He assured the delegate of the Netherlands that what was asked for in the draft resolution was merely a continuance of the very basic approach to the issue which was agreed to by the Netherlands and Indonesia in the Charter of the Transfer of Sovereignty. He appealed to the Assembly to be friendly to both countries by asking them to negotiate.

The resolution recommended by the First Committee received 41 votes in favour, 29 against and 11 abstentions. Having failed to receive a two-thirds majority the resolution was not adopted.

## DECLARATION CONCERNING THE PEACEFUL CO-EXISTENCE OF STATES

On 20 September 1957 the Foreign Minister of the USSR requested in a letter to the President of the Assembly, the inclusion of this item in the agenda of the 12th Session. An explanatory memorandum attached to the letter (A/3673) called for the adoption of effective measures by the United Nations to end the armaments race and to develop peaceful co-operation among States. A draft resolution presented alongwith it, would have the Assembly take note with satisfaction of the adherence of many States to the five principles of Panchsheel. In its operative part it would call upon States to be guided by these principles in their relations with one another.

The General Assembly included this item on its agenda at its 696th meeting on 1 October 1957 and referred it to the First Committee. The Committee considered it at its 935th to 940th meetings held between 12 December and 14 December.

On 11 December, India, Sweden and Yugoslavia introduced draft resolution (A/C.1/L. 198) calling upon "all states to make every effort to strengthen international peace, and to develop friendly and co-operative relations and settle disputes by peaceful means as enjoined in the Charter". India took an active part in drafting and presenting this resolution in order to make it acceptable to the Western powers and thus seek its unanimous adoption. In its preamble, therefore, it avoided any direct or indirect reference to Panchsheel but enumerated the five principles as being essential to developing friendly relations among states in conformity with the Charter.

In his speech at the 937th meeting, Shri V. K. Krishna Menon pointed out that the United Nations was still discussing the survival of the human race. It had been dealing with that problem, he added, when it had debated disarmament and it was now considering another aspect of the same problem. For even if a measure of disarmament could be obtained, he emphasized, there would be no peace unless states decided to live in harmony and in the conditions laid down in the draft resolution which India had co-sponsored.

In a later intervention at the end of the debate on 14 December, Shri Krishna Menon explained that the considerations set forth in the joint draft resolution were intended to apply to all States, regardless of their size, strength, economic developments or political systems. He expressed the hope that its adoption would kindle further hopes and the desire for further efforts to advance the cause of peace. He said that the joint draft resolution was the formulation of a position which was in conformity with both the Charter and the five principles of co-existence, as well as with the imperative needs of the time. He appealed to the USSR delegate to allow priority in voting to the 3-Power draft resolution.

The Soviet delegate observed that its own draft was a better one, but added that the joint draft resolution contained nothing that was not acceptable to the Soviet Union. He, herefore, agreed to give priority to the 3-Power draft, and also stated that he would vote in its favour.

A roll-call vote was taken and the 3-Power draft resolution was adopted by a vote of 75 to none and one abstention (Formosa).

The Soviet delegate then announced that it would not press its own draft resolution to a vote. The Plenary considered the report of the first Committee (A/3802) at its 731st meeting and adopted the resolution recommended by the Committee, by a roll-call vote of 77 in favour, none against and 1 abstention.

## ADMISSION OF NEW MEMBERS

On September 9, 1957, the Security Council had submitted, to all members of the General Assembly, the complete record of its proceedings, showing that it had, by a negative vote, turned down in each case proposals for admission of Mongolia, North Korea, South Korea, North Viet Nam and South Viet Nam.

The Special Political Committee considered the question on the basis of the above report at six meetings (held between October 10th and October 17th). Three draft resolutions were submitted; the first two by Australia, Chile, Colombia, Costa Rica, France, Italy, the Netherlands, New Zealand, the Philippines, the United Kingdom and the United States of America, later joined by Iraq and Japan, urging respectively the admission of South Korea (the "Republic of Korea") and South Viet Nam ("Viet Nam"); and the third, by India and Indonesia, (a) urging that the proposals made during the current session of the General Assembly be transmitted to the Security Council together with the relevant records, and (b) requesting the Security Council to consider all applications for admission of new Members. This resolution was similar to one proposed by India and Syria at the last session except that this draft did not contain reference to resolution 918(X) of 1955 which had effected the package deal for countries "about which no problem of unification arises".

This omission was made for the following reasons: except for Mongolia, the problem now concerned only the divided States; it was also illogical now to say that the Security Council should consider *all* applications and exclude the divided States specifically, specially as the question of admitting both the North *and* the South had been considered by the Security Council and, finally from the point of view of vote-catching, it was tactically unwise to refer to a resolution which specifically excluded the divided States.

From the outset, the discussion assumed all the features of an East-West contest. Those aligned with the West argued against the admission of Mongolia on the ground, chiefly that, after the Hungarian episode, it was clear that Communist-controlled States were not independent or free agents. The same argument was applied to North Korea and North Viet Nam; it was stated, in addition, that North Korea had been guilty of aggression against the United Nations, that neither North Korea nor North Viet Nam had agreed to unification by democratic means and that the United Nations had



recognised the governments of South Korea and South Viet Nam as the lawful representatives of Korea and Viet Nam. The Soviet group refuted these arguments, pointed out that the United States had not vetoed Mongolia but abstained in the Security Council in previous years, that it was South Korea which had threatened to use force for unifying North and South and South Viet Nam which had refused to enter into discussions with the North to discuss ways and means for achieving unification by democratic means. The burden of the Soviet plea was that Mongolia and both North and South Korea and North and South Viet Nam should be admitted.

In the course of the general debate, Nawab Ali Yavar Jung, Delegate of India, pointed out that his delegation regretted that the Security Council should not have recommended the admission of Mongolia which fulfilled all the qualifications of membership. India believed that the United Nations could not be made into an exclusive club, that the world had to be taken as it was and not as some on one side or the other might like it to be, that the practice of certain forms of democracy could not be regarded as a necessary qualification, whatever its desirability, as there were even some Member States, by no means confined to one side, who did not practice them and that the principle of universality should be followed. His delegation would, therefore, urge the Security Council to consider all applications; the Committee could do no more as it was up to the General Assembly to decide the issue of admission only on the recommendation of the Security Council. As far as the divided States of Korea and Viet Nam were concerned, it would be most unwise to admit any one part of either as it would tend to perpetuate the division, and his country, true to the objectives of the United Nations, was trying its utmost to assist unification.

Intervening again after the general debate, in speaking on the Indian-Indonesian resolution, the Delegate of India replied to some of the points raised by other delegates. As regards the accusations levelled by the Soviet Delegation against South Korea and South Viet Nam, and similar charges made against North Korea and North Viet Nam by the American Delegation, he said his delegation did not believe that the latitudinal parallels between North and South in fact kept sins of commission or omission on one side only of the parallel and that it could, with some knowledge, say that some of the allegations made could not be substantiated. In any case, the process of charges and counter-charges would not help the objective of unification. As regards the remark made by the Delegate of

France that he would like to see only democratic States in the United Nations because they were all peaceful, the Delegate of India said it was somewhat comforting to learn from the French delegation, after the events of last year, that all democracies were peaceful. Speaking on the Indian-Indonesian resolution itself, the Delegate of India said it was not exclusive of the two other resolutions. It urged that all proposals, which included resolutions, should be transmitted to the Security Council with the relevant records of discussions and it also urged the Security Council to consider—and he emphasized the word “consider”—all applications for membership. While indicating that he would abstain on the two other resolutions, however, he said he could not help repeating the view that the admission of any one part of either territory would seriously jeopardize the chances of unification. Already (referring to the recent recognition of East Germany by Yugoslavia), a tendency was manifesting itself of recognizing the existing divisions as permanent. Admission of one part alone would widen that trend. Meanwhile, before voting on the other two resolutions, the Committee should also bear in mind the provision in the Geneva Agreement of 1955 with respect to Viet Nam, to which the Governments of France and the United Kingdom, among others, were committed, that the boundaries of the North and the South were expressly declared to be provisional and military and not in any sense political or territorial. Was a part of Viet Nam now to be admitted which had no declared political or territorial frontier? India enjoyed certain onerous responsibilities in the area and felt most concerned as proposals of this kind would obstruct the declared objectives of the United Nations. In so far as the Indian-Indonesian resolution was not exclusive of the other two and was more general, he asked that priority should be given to it in the matter of voting. Unlike last year, the Western sponsors of the other two resolutions did not contest priority. On the motion being put to the vote, the Committee agreed, by 35 votes in favour, 7 against and 31 abstentions, to give the resolution priority. On the motion of the Delegate of Mexico, the resolution was voted on paragraph by paragraph.

The preamble was adopted by 34 votes to 27, with 16 abstentions; operative paragraph 1 was adopted by 33 votes to 32, with 10 abstentions; operative paragraph 2 was rejected by 33 votes to 30 with 15 abstentions. A vote was taken by roll-call on the draft resolution as a whole, as amended, and it was rejected by 37 votes to 33, with 10 abstentions. It is significant that, among those who voted in

favour, were the delegations of Ghana, Guatemala, Iran, Israel, Jordan, Mexico, Morocco, Saudi Arabia, Sweden and Tunisia.

A roll-call vote was then taken on the two other resolutions. The one urging admission of South Korea was passed by 51 votes to 9, with 20 abstentions; the other urging admission of South Viet Nam was passed by 49 votes to 9 with 22 abstentions. Canada and Liberia which had voted for the first abstained on the second. On October 25th, 1957, the General Assembly adopted the two resolutions as follows:—

- (a) the resolution urging admission of South Korea by 51 votes to 9 with 21 abstentions, and
- (b) the resolution urging admission of South Viet Nam by 49 votes to 9 with 23 abstentions.

India abstained on both resolutions.

#### PALESTINE REFUGEES WORKS AND RELIEF AGENCY

The drafting of the resolution, always an operation behind the scenes, concerned principally the delegations of the U.S.A. and U.K., in consultation with certain of the other principal contributors (like Australia, Canada and France) and the Arab States and Israel.

It was not expected, after the events of last year, that anything approaching a solution of the problem of the refugees, far less of the larger political problem, would emerge from the discussions, but the speeches on both sides were nevertheless surprisingly mild compared with the vehemence of previous debates. However, Mr. Shukairy, this time as the Leader of the Saudi Arabian Delegation, went further than his previous position of urging a United Nations machinery to ascertain the wishes of the refugees with regard to repatriation and urged the setting up of a further machinery to re-settle the Jews imported into Israel back in the territories from which they had come. For the first time, too, he urged that further immigration of Jews into Israel should be controlled and limited. Mrs. Golda Meir, the Foreign Minister of Israel, had already answered this demand in the General Assembly by saying that Israel would always remain open to all Jews from no matter where, but opinion in the Committee generally, while being shocked at the thoughtless demand for return of the Israeli Jews to their previous

homes, seemed responsive to the idea of control of unlimited immigration because of the dangers which an over-flowing Jewish immigration could bring in its wake. Another factor, more noticeable in this than in previous sessions, was the increasing feeling that Israel must agree to at least a token repatriation. This opinion was voiced by more than one delegation and it is significant that even the New York Times, in an editorial, supported the idea and went beyond the concept of a mere token.

It has not been possible of late for the Indian Delegation to deal with this item purely from the humanitarian point of view or that of contributions to UNRWA. The report of the Director has itself latterly been emphasising the need for decision on the question of repatriation and the close connection of the subject with the political issues involved in the Palestine problem. To deal with the item without touching on some at least of the issues is becoming increasingly more difficult and unrealistic. Nevertheless, as will be seen from the statement made in the general debate on the item by Nawab Ali Yavar Jung, reference to the larger political issues was avoided and the statement was kept within the limits of the problem *directly* arising from the item. The statement also took into account both the annual report of the Director of UNRWA and his statement before the Committee in addition to the latest report of the Conciliation Commission.

The Delegate of India, while praising the work of UNRWA and its able Director, stressed the necessity to continue not only with relief but also educational and training activities as those, above all, would stand the younger generations of refugees in good stead wherever and whatever might be their future. For almost the same period as the creation of the problem of Palestine refugees, India had been faced with the refugee problem almost ten times larger and it was still continuing. She had, therefore, been obliged to make only token contributions towards assisting the Palestine refugees. India's difficulties in this regard had been heightened by her present scarcity of foreign exchange and her own economic needs; nevertheless knowing the urgent needs of UNRWA and India's sympathy for the plight of the Palestine refugees, the Government of India had decided to make a further contribution after the termination of services of her medical unit in January 1958; it was likely to take the form of goods rather than of money or services. The division of Palestine had been carried out in the teeth of Arab opposition and a majority had been converted into a minority by

imposition. The Director had referred to the desire of the refugees for repatriation; his delegation believed in integration and rehabilitation but only after ascertaining the wishes of the refugees. Till that time the United Nations had to face the responsibility for a major decision taken by it with eyes wide open; to set a date-line for UNRWA without first ensuring a settlement of the refugee problem was not compatible with that responsibility. Certain progress, however modest, had been made; the refugees themselves had begun realising the humanitarian objectives of UNRWA and even the Arab Governments had co-operated in short-term plans of resettlement. The Conciliation Commission had likewise reported welcome co-operation by Israel in returning to the refugees their deposits in Banks and their blocked accounts. His delegation was, however, disappointed that the Government of Israel had gone back upon its previous offer to pay compensation to the refugees by attaching political conditions to it which the Conciliation Commission had regretted but which the Delegate of Israel seemed to have reiterated in his statement before the Committee; none of these could be regarded as concessions; to return deposits or blocked accounts or pay compensation while profiting or benefiting from use of someone else's property was the right thing to do; not to do it would be a species of seizure or confiscation not justified by morality or international law. He did not agree, on the basis of his own experience in the Middle East, that right actions, whenever taken, did not produce response, whatever the attitudes taken on account of political positions might be. Referring to the statement of the Delegate of Israel that the Delegations of Australia, Canada and the United Kingdom and also institutions and foundations in those countries and in the United States had unanimously recommended re-settlement of the refugees and their integration in Arab lands, he said it was not up to outsiders to decide for the refugees what was good for them or to force them to exile; they should be given the opportunity to express their choice and he felt that the wisdom of the United Nations and of the Arabs and Israelis could conceive a reasonable machinery by which certain things could be done and done simultaneously, for example, ascertainment of wishes, offer of compensation and, if necessary, even explanation of conditions in Israel as they are now. Only those would choose to go back who wished to live in peace with their neighbours and, if there was any real fear of subversion, the good sense and statesmanship of the parties and, above all, of the United Nations machinery and the General Assembly could ensure a solution which would be

satisfactory from all points of view. But that required, above all, the consent and co-operation of the Government of Israel because it was a sovereign Government and no decision could be imposed upon it. On the other hand, as a new-comer in the region, Israel could take steps which would contribute to the ultimate solution of the refugee problem. In having previously urged federation rather than partition, India had acted in the belief that integration was better than division; now, in terms of States, the integration of minds and of lives would help to remove bitterness and also assist the new State to rehabilitate itself in the Arab region. While it was logical that the problem of the refugees was linked with the political solution of the problem of Palestine, the unfortunate events of last year had made it more difficult than ever to deal with the latter, and he felt it would be like holding the lives and prosperity of a million people to ransom if one waited for a political solution. Their lives could not be gambled with in the meantime and an attempt should, therefore, be made to deal with the refugee problem by itself. In that task, the largest contribution ought to come from Israel and he hoped that a solution would be sought with statesmanship and would find a response.

The actual resolution took a long time to be tabled as the Arab Delegations were unhappy over the first draft (co-sponsored by the Netherlands, New Zealand, Philippines, the United Kingdom and the U.S.A.), differences having arisen mainly over wording which did not refer to the budgeted relief and rehabilitation programmes put forward by the Director General or to the provision of an adequate working capital and which implied greater emphasis on a likely limitation of funds. These were finally adjusted and the draft as revised (A/SPC/L 21 Rev. I, dated 5 December 1957) was passed by the Special Political Committee, only the Arab Delegations and the Soviet Bloc abstaining and none opposing.

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## RACE CONFLICT IN SOUTH AFRICA

It took some time before discussion on this item gathered momentum. Delegations seemed a little baffled as to what should be done, considering the attitude of the Union Government. There was, on the one side, the desire on the part of some delegations to propose a strong resolution falling just short of condemnation but working up to it for the following year; among these were some Latin American delegations and the delegations of Ghana and Sudan. There

were others who were against precipitating a situation and feared it would only make the Union Government more adamant. Some favoured recourse to discussion or mediation; a few continued to question the competence of the General Assembly and, among them, some wished to recommend recourse to the International Court to determine competence.

In order not to be too forward on this item and to reserve the Indian lead for the next item dealing with the treatment of people of Indian origin, the Indian delegation, represented by Nawab Ali Yavar Jung and Mrs. Sinha, left the task of drafting a resolution and of sounding other delegations at first to the Uruguayan delegation. Its Chairman, Senor Fabrigat, however, did not make much headway on account of the divergencies of view mentioned above. Finally, the Indian delegation promoted a draft prepared by it and it was finally co-sponsored by thirty delegations, including India and Pakistan.

The following are the 30 co-sponsors:

Afghanistan, Bolivia, Burma, Ceylon, Costa Rica, Ecuador, Egypt, Ethiopia, Ghana, Greece, Haiti, India, Indonesia, Iran, Iraq, Ireland, Jordan, Laos, Libya, Liberia, Morocco, Nepal, Pakistan, Philippines, Saudi Arabia, Sudan, Syria, Tunisia, Uruguay, Yemen.

The draft, in its preamble, recalled previous resolutions, in particular, resolution 917(X) of 6 December 1955, calling upon the Union Government to observe its obligations under the Charter, and noted other resolutions declaring policies designed to perpetuate discrimination to be inconsistent with the Charter and affirming apartheid to constitute racial discrimination. It deplored that the Union Government had not yet responded to the call and invitation conveyed in paragraphs 3 and 4 of resolution 1016 of the previous session, drew its attention to that resolution and those paragraphs and appealed to it, "in the interests of the common observance by Member States of the high purposes and principles enshrined in the Charter....., to which the Government of the Union of South Africa has also subscribed and is as much committed as any other Member, to revise its policy in the light of those purposes and principles and of world opinion, and to inform the Secretary General of its response."

The resolution had not yet been tabled when the general debate began and Mrs. Sinha opened it with a statement on behalf of India. She gave the background of the previous discussions on apartheid with

special reference to the work of the United Nations Commission. She referred to the previous resolution and stated that the Government of the Union of South Africa was nevertheless pressing forward with its discriminatory legislation. No communication had been made by the Union Government to the United Nations to indicate that it was modifying its policies in the light of the United Nations' recommendations. She then referred to the University Education Bill, introduced in the South African Parliament in April 1957 which would institute apartheid in the Universities. She quoted a number of comments by respected authorities, including South Africans, to indicate the objectionable potentialities of such a measure. She also dealt with the Native Laws Amendment Bill of 1957 which would introduce apartheid in churches and social gatherings, as well as the Nursing Act of 1957 which provided for apartheid in the nursing profession. She continued by referring to the treason trials taking place in South Africa and commented particularly on the hardships suffered by the defendants in arranging their defence. She then pointed out that these actions of the Union Government were in direct defiance of the United Nations resolutions and the Declaration of Human Rights. She ended by saying that it was this failure of the Union Government to conform to its obligations that compelled India to join other delegations in raising this question before the General Assembly. She added that India's purpose was to continue in her effort to persuade the Union Government to abandon its policy.

The debate, as it followed its course, brought out all the different trends of thought to which reference has been made above. Similar trends manifested themselves when the resolution was tabled and was introduced by the delegation of Philippines. The delegations of Argentina and New Zealand pointed out that, as serious doubts had been expressed with regard to the competence of the General Assembly, the proper thing to do was to obtain the opinion of the International Court on competence. The Canadian delegation suggested that, instead of a resolution directed pointedly to South Africa, it would be more desirable to have a resolution calling on all Member States to observe and promote the purposes and principles of the Charter. The delegation of Peru suggested conciliation or mediation with a view to bringing about negotiations or talks between the legal representatives of the organisations or parties affected in South Africa and the Union Government. In dealing with the point about reference to the International Court, the Argentine Delegate referred to the discussions in 1946 and quoted from the speech of Sir Hartley



Shawcross in which he had pointed out the existence of caste prejudices and racial or religious differences in India in order to stress the view that such prejudices were not unique to South Africa and that treatment of them fell within domestic jurisdiction. These and other points were taken up in reply by the Delegate of India, Nawab Ali Yavar Jung, in the course of three interventions on the resolution itself. He supported the interpretation of the Delegate of Uruguay in emphasising the significance of the word "essentially" in article 2, paragraph 7, of the Charter. Otherwise, matters generally within the domestic jurisdiction of a State were affected by international agreements and obligations and, in 1946, Field Marshal Smuts had himself admitted that the field of such jurisdiction had contracted considerably on account of these agreements and obligations. Where the General Assembly had never been in doubt as to its own competence, the question of reference to the International Court did not arise, but it was strange that, in a question affecting human rights, with all the racial discrimination that was being perpetuated in South Africa, the delegations concerned had made no proposal to seek the opinion of the International Court on whether the policy of *apartheid* was in breach of the obligations undertaken by and under the Charter or not. He expressed his sense of injury at the Delegate of Argentina having quoted Sir Hartley Shawcross without also quoting the reply given by Mrs. Pandit on behalf of India. The movement for independence in India had not been for independence only from the foreigner but from such legacies of the past as racial or religious prejudice. Discrimination had been abolished by the Constitution of India and measures, executive and legal, were continuously being taken against it. Mahatma Gandhi had laid down his life in that cause. As to having a resolution directed to all Member States, he saw no reason for coupling those which were trying to combat such discrimination with a Member State which was attempting admittedly to perpetuate it. However, such an appeal had already been once directed to all Member States and had, in the present discussions, been quoted by the United States Delegate, but it had fallen on deaf ears as far as the Government of South Africa was concerned. The Delegate of Spain had said that the discussions in the General Assembly, without the presence of the South African delegation, had become monologues and that it was time to encourage dialogues. The Delegate of India pointed that South Africa had been absent from these discussions only since 1955. For five years previously, the item had been coming up for discussion and the only line taken by the South African delegation had been to challenge the competence of the General Assembly instead of providing any

explanation of its policy in the light of the Charter, not to mention response to the appeals of the General Assembly. The Peruvian delegation had suggested mediation: it had been tried recently and a Mediator had been appointed but had failed to obtain response. As for getting the organisations of parties affected in South Africa together with the Union Government for talks or negotiations, he pointed out that the parties affected were four-fifths of the people of South Africa themselves and that their legal representation was not possible as their organisations had been declared illegal. He would, however, have an open mind on that question and would like to see the proposal in concrete terms. "We are not accusing South Africa", he continued, "of the existence of certain prejudices leading to discrimination. Such prejudices, and pernicious practices based upon them exist elsewhere also and.....we who have suffered on account of them in the past know also that they die very hard; no matter where, changes in such prejudices can come slowly. There are history, tradition, false fears, lacks of education and many other factors—political, economic and social—behind them. Whether these exist in India, the United States, or anywhere else, they are recognised. The standard by which a Member State is to be judged, however, is the standard of compliance with the obligations assumed under the Charter and I hope it means no intervention in the affairs essentially within the domestic jurisdiction of the United States when I say, on behalf of my delegation, that we have watched, with unqualified admiration, the trend of legislation, of enforcement and executive measures adopted by the United States, under the leadership of a great President, in order to fulfil the obligations not only of the Constitution but those assumed under the Charter in this regard." His delegation would welcome South Africa back to the United Nations and to participation in the discussions on this question; South Africa was part not only of the United Nations but also of the Commonwealth to which India belonged; the Indian delegation would thus be the first to welcome her back. While her presence would help, the fact remained that the previous discussions had led only to evasion and no progress could be made unless the Union Government itself changed its policies. Meanwhile, the calls and invitations of the United Nations had been met only by discourteous silence. Nevertheless, the Indian delegation felt that the General Assembly must remain long-suffering and that its Member States should be courteous even when met with discourtesy. The Indian delegation would like to say or do nothing which would even remotely resemble the appearance of intervention and would be opposed to it. For all these reasons, it supported and co-sponsored

the resolution as it did not mean intervention and sought no condemnation. It was persuasive and he did not agree with his colleague from Australia in characterising it as "unconstitutional". Was an invitation or an appeal, for observing international agreements unconstitutional on the part of the General Assembly? He hoped that, even though it might take time, the parties concerned, four-fifths of the people of South Africa, would deal effectively and peacefully with this matter and show forbearance and generosity and he hoped the General Assembly would similarly show forbearance. His delegation felt that, in any case, tyranny of this kind could not last. He hoped, above all, that the Union Government would change its view in deference not only to world opinion but to those principles for which the world stood and for which it had itself subscribed by signing the Charter. Meanwhile, it was the right and duty of the United Nations to raise the issue here and to appeal to the Union Government to observe and promote the purposes and principles of the Charter.

The Delegate of Argentina then explained that it was not his intention to suggest that India was promoting discrimination; he had only cited Sir Hartley Shawcross's speech in order to support his view on the issue of domestic jurisdiction and to urge reference to the International Court.

Following shortly after the Delegate of India, the United Kingdom Delegate challenged the competence of the General Assembly on the basis of his delegation's interpretation of article 2(7) of the Charter. He did not agree with the interpretation put on the term "essentially" by the Delegate of Uruguay. He wondered if the Indian delegation would not have challenged the competence of the General Assembly if it had been placed in a similar position. Replying immediately afterwards, the Delegate of India said it was with some sorrow that he had heard the pointed reference to India. Several delegations had co-sponsored the resolution and had been supporting consideration of the issue, yet the United Kingdom Delegate had chosen India particularly and had tried to put her in the same box as South Africa. "We are accustomed to this sort of thing from the delegation of the United Kingdom, particularly since last year, and I may say that we have no skeletons in the cupboard in this regard. If there is any delegation which would like to raise a similar problem with regard to India, we would not raise the question of competence. This is for the benefit of the United Kingdom delegation." The Delegate of the United Kingdom immediately explained that he did not

mean to suggest that India was practising discrimination and desired to withdraw his remark. Subsequently, he requested the Delegate of India to agree to expunge this part of the intervention from the records and the Delegate of India agreed.

Voting in Committee on the resolution was as follows:—

59 in favour, 5 against and 10 abstentions.

When, a few days later, the resolution was submitted to the General Assembly, it was passed by 59 votes in favour, six against and 14 abstentions. Lebanon, Morocco and the U.S.S.R. were absent. Among those who abstained were Canada, New Zealand and U.S.A. The votes against were cast by Australia, Belgium, France, Luxembourg, Portugal and the United Kingdom.

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#### TREATMENT OF PEOPLE OF INDIAN ORIGIN IN THE UNION OF SOUTH AFRICA

This item was taken up immediately after the item on *apartheid* and the trend of the discussions was basically the same as on the previous item. The Delegation of Pakistan made a brief intervention and it was left to the Delegation of India to elaborate and explain the position. It was the Indian Delegation also which, in consultation with Pakistan, drafted the terms of the resolution which was eventually sponsored by Iran, Philippines, Mexico and Yugoslavia.

The draft resolution (A/SPC/L.19) in recalling resolution 1015(XI) of 30 January 1957 and considering the reports of the Governments of India and Pakistan, noted that both Governments had reiterated their readiness to negotiate with the Union Government, noted "with regret" that the Union Government had not agreed to "carry forward" the purposes of the above-mentioned Resolution, appealed to the Union Government to participate in negotiations with a view to solving the problem in accordance with the Charter and the Declaration of Human Rights and invited the parties concerned, jointly or separately, to report to the General Assembly regarding the progress of the negotiations.

Both in the general debate and in the discussions on the resolution, some delegations seemed to confuse this item with the item on *apartheid*. The Argentine Delegate, for example, raised the voice of competence and urged that the issue should be referred to the International Court (as he had done in the case of the item on *apartheid*).

He failed, either deliberately or otherwise, to realise the fact that this issue involved specific engagements and agreements between the three Governments concerned. On the other hand, the delegates of Costa Rica and Uruguay emphasised that this issue was not one for which the Union Government could claim exclusive jurisdiction and that it concerned equally that Government and the Governments of India and Pakistan. One or two delegations urged the appointment of a conciliator or mediator.

While stating that the Indian Delegation had an open mind on the question of a conciliator or mediator, the Delegate of India (Nawab Ali Yavar Jung) rebutted the contention that the General Assembly was not competent to discuss the question and that it should be referred to the International Court. He stated the conditions under which Indian settlers had originally gone to South Africa—conditions laid down by Lord Salisbury, the Secretary of State for India, on behalf of the British Government which was then master of both British India and South Africa. These conditions assured for the Indian settlers that they would be treated as “free men in all respects with privileges no whit inferior to those of any other class of His Majesty’s subjects resident in the colonies”. The Delegation of India then referred to subsequent negotiations between India and South Africa and to certain agreed conclusions incorporated in resolutions of Imperial Conferences, the Cape Town Agreement of 1927 and the 1932 revision of that Agreement. He also referred to the round table conference held later and pointed out that the policy followed thereafter by the Union Government was in breach of these specific understandings and agreements. In the circumstances, it would be manifestly wrong to claim exclusive jurisdiction for South Africa when two other Governments were also directly involved. The issue had been brought up before the General Assembly in 1946 under Articles 10 and 14 of the Charter and Article 14 expressly provided for the Assembly to recommend measures for the peaceful adjustment of any situation, regardless of origin, which might impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the Charter. His Delegation, therefore, welcomed the draft resolution as its object was to promote negotiations, and it also welcomed the attitude taken by the United States Delegation on this issue (which it had characterised as running “counter to the whole current of scientific knowledge and modern philosophy upon which the principles of the Charter are based”). Presumably in deference to the objections of the Union Government, the draft resolution invited the parties concerned to report, “jointly or separately” to the

General Assembly on the progress of the negotiations. Whatever the position of the Union Government, his Delegation would report to the General Assembly as it believed it would not be right for the Assembly not to be seized of the question.

Replying a little later, the Delegate of India, referred to the existence of specific understandings and agreements between India, Pakistan and South Africa which had been violated by the Union Government.

Voting in the Committee was by paragraphs, and voting on the resolution as a whole was 63 for, none against, and 14 abstentions. France and Portugal voted against the paragraph which noted with regret that the Union Government had not agreed to carry forward the purposes of the previous resolution, and there were as many as 14 abstentions on that paragraph as against lesser numbers on others. The last paragraph inviting the parties concerned to report to the General Assembly also provoked 13 abstentions, but none voted against it. Australia, Canada, New Zealand and the United Kingdom abstained on the resolution as also National China (Formosa) among others.

In the Plenary Session of the General Assembly, the voting on the resolution as a whole was 64 for, none against, and 15 abstentions. In addition to France and Portugal, Spain also voted against the paragraph which noted with regret the conduct of the Union Government. The United States voted in favour of the resolution both in the Committee and in the General Assembly.

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## REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

The general discussion of the relevant chapters (II, III, IV and V) of the report of the Economic and Social Council (A/3613) was initiated by the Under Secretary of the Department of the Economic and Social Affairs of the United Nations. Fifty one delegations took part in the general debate. Most Members expressed general concern over the prevalent inflationary tendencies in the world and made pointed reference to the very hard time ahead especially for the under-developed countries in their task towards the building up of their economies. Mr. J. N. Sahni took part in the general debate on behalf of India and his statement was well received in the Committee.

Mr. Sahni referred to the increasingly difficult problem confronting the under-developed countries in finding ways and means to pay for a rising bill of imports of capital goods required for their schemes of industrialization and pointed out that in most cases their post-war reserves had been exhausted and were faced with the choice between a continuous resort to deficit financing or postponement of development programmes. In addition they were faced with the problem of over-population. Stressing upon the gravity and urgency of these problems, he urged the advanced countries to take immediate steps through the United Nations to come to the help of the under-developed countries in building up their economy.

Commenting on the regional economic surveys he pointed out that the reports on Africa for the last two years took into account only a few countries of the continent and even in respect of them, they were not comprehensive enough. The defect could be repaired to some extent, if the ECOSOC is expanded, so as to enable increased representation of Africa. He also suggested that the ECOSOC should immediately consider establishing a Regional Economic Commission for Africa in consultation particularly with independent African States.

Regreting the absence of People's Republic of China, Mr. Sahni pointed out that the work in and for Asia, without including the vast country of China was to put it mildly, unrealistic and detracted considerably from the value of the work, considering especially the gigantic strides being made by China.

After the conclusion of the general debate, the committee took up for consideration the draft resolutions before the committee.

Following the suggestion made by the representative of India in his intervention on the general debate regarding the establishment of the Regional Economic Commission for Africa, the representative of Ghana called for a meeting of the Asian-African group to consider their draft resolution on the establishment of the Economic Commission for Africa. Although some of the West Asian countries were not happy at the proposal, in their anxiety not to offend the newly independent African nations, they did not raise any objection to the proposal and agreed to co-sponsor the resolution. The resolution was presented before the committee at its 465th meeting on 17th October sponsored by 29 nations including India. The only opposition before the committee, rather a hasty one, came from the delegation of Belgium. Even they, after realizing that they were the only one to oppose the proposal, explained before the committee that they were

not opposed to the idea of Economic Commission for Africa but felt that the recommendation for ECOSOC for the immediate establishment of the Commission was, in their opinion, rather premature. The draft resolution was adopted by the committee by a roll-call vote of 71 to none with 2 abstentions (Belgium and U.K.). South Africa was absent. The representative of United Kingdom explaining their abstention, stated that the General Assembly's recommendation to the ECOSOC, for "favourable consideration" of the proposal rather limits the independence of ECOSOC, one of the main organs of the United Nations. He pointed out that it would have been possible for them to vote for the resolution if the sponsors had accepted his informal suggestion "sympathetic consideration" instead of "favourable consideration". In this connection, it may be mentioned that the Indian delegate's efforts to persuade the African nations to accept the change did not meet with success and the delegate of Ghana categorically pointed out that they would not accept any change in their draft resolution and would insist on their draft being voted on as it was presented.

Having been defeated in their proposal for convening a World Economic Conference at the eleventh session, the Soviet Union through Bulgaria, presented before the committee a draft resolution (A/C2/C332) requesting the Secretary-General to convene a conference of experts of the Members' countries in 1958 with a view to preparation of the report called for in the ECOSOC resolution 654A(xxiv) on the international machinery for trade co-operation. As anticipated with the initiative of Japan, a counter resolution (A/C2/L335) co-sponsored by six other countries was submitted before the committee on international trade co-operation. The Western bloc countries opposed the Bulgarian resolution whereas the Soviet bloc countries opposed the seven power draft resolution. The Bulgarian delegation withdrew their resolution when it became clear that their resolution would be defeated.

France and Afghanistan presented amendments to the seven power resolution which were accepted by the sponsors. The revised draft resolution (A/C2/L335 Rev. I) was voted on paragraph by paragraph with the following results:

*The first paragraph of the preamble* was adopted by 53 votes to none, with 14 abstentions.

*The second paragraph of the preamble* was adopted by 63 votes to none, with 2 abstentions.



*The third paragraph of the preamble* was adopted by 61 votes to none, with 3 abstentions.

*The fourth paragraph of the preamble* was adopted by 64 votes to none, with 2 abstentions.

*The fifth paragraph of the preamble* was adopted by 45 votes to 8, with 13 abstentions.

*The sixth paragraph of the preamble* was adopted by 42 votes to 8, with 17 abstentions.

*Operative paragraph 1* was adopted by 53 votes to none, with 15 abstentions.

*The first part of the operative paragraph 2* was adopted by 58 votes to none, with 8 abstentions.

*Operative paragraph 2, as a whole*, was adopted by a roll-call vote of 37 to 8, with 24 abstentions.

*The draft resolution, as a whole*, was adopted by 42 votes to 7, with 21 abstentions. India voted for all the paragraphs of the resolution and the resolution as a whole.

Then the committee took up the consideration of the resolution submitted by Rumania (A/C2/L330) which enumerated five economic principles on which future international economic relations should be based. There was considerable criticism of this resolution in the committee both by the Western powers and the Latin Americans. The main objection was that G.A. and the ECOSOC in the past had adopted a number of resolutions recommending certain principles for international economic co-operation and the resolution presented by Rumania was not only incomplete but ignored the resolutions adopted on the subject. The representative of Mexico submitted a compromise draft resolution (A/C2/L337) requesting the Secretary-General to prepare a compendium of all previous resolutions to facilitate study. But this was not acceptable to Rumania. The representative of India after consultation with both Rumania and Mexico, suggested an amendment to operative paragraph.

Thereupon the representative of Rumania withdrew his resolution and agreed to co-sponsor the Mexican resolution which was adopted unanimously with the Indian amendment.

The last resolution under the item was by Czechoslovakia with regard to regional and interregional economic co-operation (A/C2/L333). The representative of United States stated that he had some difficulty with regard to the final operative paragraph and therefore suggested some modifications. The modification did not meet with

the approval of the sponsor of the resolution. After considerable discussion, the representative of Czechoslovakia submitted a revised text of the final operative paragraph to which was incorporated the Tunisian suggestion regarding improving economic conditions in the under-developed countries.

The revised draft resolution was adopted by the committee unanimously.

## REPORT OF THE AGENT-GENERAL OF THE UNITED NATIONS KOREAN RECONSTRUCTION AGENCY

The report of the Agent-General (No. A/3651) covering the Agency's programme for the period 1st July 1956 to 30th June 1957 was introduced by the Agent-General of the Korean Reconstruction Agency. The Committee had before it a draft resolution submitted by Canada, the United Kingdom, the United States and Uruguay. After some brief statements by various delegations, the draft resolution was adopted by 44 votes in favour, none against, with 18 abstentions. India abstained on the resolution. Explaining his abstention on the vote of the resolution, the delegate of India stated that the Korean Reconstruction Agency should have extended its activities to whole of Korea, but not confined to South Korea alone.

## ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED COUNTRIES—SUNFED

At the request of the United States delegation, it was decided by the Second Committee that this item should be taken up last and immediately after the item dealing with Technical Assistance. However, from a very early stage of the session, Nawab Ali Yavar Jung and Mr. Gopala Menon, the Delegate and Alternate Delegate assigned to this Committee, began making contacts with the different delegations in order to ascertain their views and assess the possibilities. The Americans seemed at first to be resilient in their attitude and the French were definitely helpful. The Chileans, Dutch, Egyptians and Yugoslavs were strongly of the view, shared by the Indian Delegation, that advantage should be taken of Resolution 662B(XXIV) of the ECOSOC recommending the establishment of SUNFED. They thought that, for tactical reasons, a draft

resolution accepting that recommendation should be tabled as early as possible both to gather reactions and to obtain priority. A draft resolution was accordingly prepared by the Netherlands Delegation and it was considered unwise to have too many co-sponsors as that would make for difficulties at the later stages of negotiations. Argentina, Ceylon, Chile, Egypt, Greece, Indonesia, Mexico, the Netherlands, Venezuela and Yugoslavia wishes to co-sponsor it and, after consultation with the Permanent Representative and report to the Delegation, the Indian Delegation associated itself with it. It was tabled on October 16, 1957 (document A/C.2/L.331). The draft would have the General Assembly commend the work of the *Ad Hoc* Committee decide to establish the Special Fund, and toward that end, establish a preparatory commission to draft rules for the administration and management of the Fund and for the method of selection of projects. An annex was attached setting out certain principles which would govern the rules; it was based on the consensus of agreement derived from the *Ad Hoc* Committee's report except that it introduced, on the suggestion of the Netherlands Delegation and as a concession, the idea of a qualified majority for all important decisions of the Executive Board of the Fund. The report of the preparatory commission was to be communicated not later than May 1, 1958, to all Member States and submitted to the ECOSOC at its XXVIth session, the Council itself to submit its views to the General Assembly at its 13th session. The date fixed for the beginning of the operations of the Fund, in view of the mechanics of the above stages, was January 1, 1960, at the latest. For tactical reasons, the draft resolution omitted the ECOSOC's suggestion that the Fund should start at first with a few select projects experimentally.

The problem before the co-sponsors from the very outset, with the Americans, British and Canadians against the starting of the Fund, (as signified by their vote in the ECOSOC), with the Russians, in spite of their loud support, not indicating the extent of their contribution, and with many of the Western Europeans insisting that the Fund should be started only with the participation of the major industrialized countries—the Russians also insisted on this later in their statement before the Committee—, was how to ensure that the Fund would have enough resources to be able to make a decent beginning. The prospects became all the more bleak when, after having informed all governments directly at their capitals, the American delegation informed some of the co-sponsors and certain other groups, while the item on Technical Assistance was still under discussion, that it would submit, under the item on

**Economic Development**, a plan for a Special Projects Fund, which would have the effect of enlarging the United Nations Expanded Programme of Technical Assistance to cover certain basic fields like surveys, etc. and of raising the resources available for technical assistance by \$1,000,000, the United States to contribute roughly up to 40% of the total by matching its contribution with those of other Member States. Although some new machinery was contemplated, the Special Projects Fund was to be an integral part of the Technical Assistance programmes of the United Nations. The proposal included the appointment of a preparatory committee which would go into the question of types of projects to be assisted and the machinery for operating the Fund. The Indian Delegation was one of those with which the Americans discussed their proposal. The first reaction to it among other under-developed countries was to welcome it under the item on Technical Assistance, Yugoslavia going so far as to suggest to the Americans that it should be brought under that item and not under Economic Assistance. The Delegate of India took the view that, in either case, the effect of the proposal, so far as the resources available for SUNFED were concerned, would be to divert or split them, that the proposal was more assailable under Economic Assistance than under Technical Assistance and that, if it came to be discussed under the former, there would be a chance of modifying it to fit it into the concept and scheme of SUNFED as a beginning and prevent it from becoming a substitute for it. Other under-developed countries came round to the same view. During the initial discussions with the Americans, they were found adamantly against any modification which would link up their proposal with SUNFED and, as soon as the Committee got on to the item on Economic Development, they introduced a draft resolution (Document A/C.2/L.354 of Nov. 18, 1957) embodying their proposal.

Although the American Delegate explained, in introducing his draft, that it was not meant as a substitute for SUNFED or to divert funds from SUNFED, and that it should be considered on its merits, there was little doubt left about its possible effects when the delegations of Denmark and Italy signified their decision to switch off to the Special Projects Fund such contributions as they might otherwise have been prepared to make to SUNFED. Many of the underdeveloped countries also stated, in the general debate and privately, that while they would continue to support the SUNFED resolution, they would be obliged to vote also for the Special Projects Fund. While both resolutions thus stood the chance of being

passed by a majority, there was danger not only that the majority for SUNFED would be less on account of the preference given by some of the Western European delegations to the Special Projects Fund but also that the latter would succeed financially while SUNFED would be stillborn. Meanwhile, the United Nations would be faced with two rival preparatory commissions working at the same time in almost one and the same field. In view of these dangers, the Indian Delegate took the initiative, before positions became too rigid, in making certain suggestions which would have the effect of incorporating the American proposal in the concept and scheme of SUNFED. After discussion with the co-sponsors of the SUNFED resolution and that their request, the Indian Delegate prepared, for purposes of illustration and as a basis for discussion, a draft which won the support of all the under-developed countries. It was divided into four parts: part "A" established, subject to certain conditions to be prescribed, a Special Fund with the same scope as that heretofore assigned to SUNFED; part "B" provided that, as long as the resources available to the Fund did not exceed a certain figure (left for discussion, the figure in our minds being \$100 million), the operation of the Fund should be limited to certain basic fields such as surveys of natural resources and provision of technological skills; part "C" provided that, as and when the resources of the Special Fund exceeded the above amount or if circumstances otherwise permitted, the Special Fund would, after due report to and approval of the General Assembly, undertake projects of assistance in more expanded fields, principally the development of the economic and social infra-structure of the under-developed countries; part "D" established a preparatory committee for drafting the rules of the Special Fund along the lines set out in an annex which was substantially the same as the annex accompanying the original draft resolution on SUNFED. The Fund was to begin its operations from January 1, 1959.

Briefly, the draft established the Fund but staggered its operations according to the availability of resources; it pulled its earlier operations out of the structure, proposed by the Americans, of the Expanded Programme of Technical Assistance; it provided for expansion of activities into capital development as and when more resources became available and it left that decision to the General Assembly upon report from the Fund. The French Delegation signified its support of the new scheme and it was on its basis that all the subsequent discussions were carried on with the Americans,

British and Canadians. Dr. Judd, the American representative, flew to Washington and brought back certain counter-proposals in the form of a revision of their previous draft resolution; it was also divided into parts but had the effect of establishing a Fund with a scope confined strictly to technical assistance. It omitted the principles in the annex, it maintained the Fund's operations as an integral part of the Expanded Programme of Technical Assistance, it stipulated that a multilateral fund for development would necessarily affect bilateral assistance and, even while leaving the future to be decided by the General Assembly in terms which suggested that capital development would not be associated with the fund now proposed to be established, the draft went on to name the figure of \$ 500 million as the minimum that would be required before a multilateral United Nations agency could embark on capital development. The object obviously was to avoid anything which might suggest that it was SUNFED that was being established now, under whatever conditions, and the placing of the figure at an impossible level invested the United Nations virtually with the power of veto as regards expansion into capital development. The co-sponsors of the SUNFED resolution and the Indian Delegation, therefore, rejected the revised American draft. There followed intensive and prolonged informal negotiations, almost from day to day and almost up to the last meeting of the Committee and, finally, the last day, in the Committee itself. The Indian Delegate insisted that the Fund now to be established should, in terms, have a scope as wide as of SUNFED, that its more immediate operations might be limited to certain basic fields within that scope specifically because of present non-availability of sufficient resources and that provision should be made for the Fund later to enter into the field of capital development when resources considered sufficient by the General Assembly became available. Briefly, what he endeavoured to achieve was that the battle over the establishment of SUNFED should be over and should henceforward centre round its expansion into capital development which, even otherwise, could not be embarked upon immediately without larger funds being available. This point of view was made clear by Nawab Ali Yavar Jung in the course of his intervention in the general debate and, when the informal negotiations broke down over the issue of giving the Fund initially a wider scope than purely technical assistance and technical development, the co-sponsors tabled a revised text of their original resolution in terms of the above conception (document A/C.2/L.331 Rev. I). This was done after consultation with the Permanent Representative and it was thought by all the co-sponsors and others

that the revised text would fetch more votes than the original as it incorporated the American idea of beginning with operations in certain basic fields. It would also put the supporters of the American draft on the spot and make it impossible for it to be moved.

That was on the very last day of the Committee. The American and Canadian Delegations then moved three amendments, namely, the substitution of the words "technical assistance and development programmes" in paragraph 1 of part "B", establishing the Fund, by the words "programmes of technical assistance and development", the deletion of the words "more immediately" in paragraph 2 of Part "B" relating to the work of the preparatory committee, of the views and suggestions of governments with the principles set out in the annex so that the preparatory committee would take account equally of both. The co-sponsors agreed to the two latter amendments: they thought that, for the sake of obtaining unanimity in the matter of a Fund which must have adequate resources even to make a modest beginning, the words "more immediately" in paragraph 2 of part "B", might be omitted as the sense was clear that the limited nature of the first operations was imposed only and specifically by reason of inadequacy of resources and the expansion envisaged in paragraph 1 of that part and in part "C" took sufficient care of the idea that the limited operations were only a beginning. Some of the other co-sponsors, chiefly the Latin Americans, were not averse to accepting even the first amendment, but the Delegate of India refused to accept it. He made it clear, despite weakening even by the Dutch and the Yugoslavs, that such an amendment would confine the Fund from the very outset and in its foundation to mere technical assistance and technical development while, as his delegation conceived and desired it, the Fund should first be established with the objectives set for SUNFED, the limitation of earlier operations in the following paragraph to be due expressly to non-availability of funds and provision being made in part "C" for the Fund to come into its own and enter the field of capital development upon resources being available which were deemed sufficient by the General Assembly. Finally, the American Delegation, agreed to the following text of paragraph 1 of part "B", sponsored (at the suggestion of the co-sponsors) by the Delegate of Iran:

*Decides that, subject to the conditions prescribed hereunder, there shall be established as an expansion of the existing technical assistance and development activities of the United Nations and the specialized agencies a separate*

Special Fund which would provide systematic and sustained assistance in fields essential to the integrated technical, economic and social development of the less developed countries.

The American Delegation at first insisted on the word "enlargement" instead of "expansion" as a last moment attempt to use the same phraseology as in paragraph 2 and thus, by linking up the two, to confine the future to the present, but the Delegate of India rejected that phraseology and also insisted on omitting any mention of "programmes" as such or making even the "activities" part of anything existing.

In the course of his several interventions, the Delegate of India made it clear that his Delegation was not happy over the draft but felt consoled by the fact that it would now command unanimous agreement and win the support alike of the industrialized and under-developed countries. In the General Assembly, the Delegate of the United Kingdom tried to qualify part "C" by interpreting it as referring to the availability of "additional" resources; the American Delegate suggested that the operations of the Fund would form an "integral part" of the existing programmes. The Delegate of India, speaking from the rostrum, rejected both qualifications, adding that these words had been suggested for inclusion at a certain stage of the negotiations, had been rejected and had been withdrawn. There was no ground, therefore, for reading those meanings into the text. He also stated that the text envisaged the establishment of the Special Fund to which the co-sponsors aspired, the limitation of its activities as long as the resources available did not exceed \$100 million and the entry of the Fund into the field of capital development when the resources available were deemed sufficient by the General Assembly. At that time, naturally, the General Assembly would have to review the scope and activities of the Fund as it would require certain changes in view of its having to handle projects of a much wider kind. He regretted, with reference to an article in the New York Times, that attempts had been made by newspapers to plant national flags of victory on the resolution.

The composition of the preparatory committee was settled by informal discussion the night before the agreed text of the resolution, unanimously passed by the Second Committee, was presented to the General Assembly. The American Delegation agreed with the co-sponsors that the number should be limited to fifteen but suggested that that figure should include the Chairman who should



be Mr. Mir Khan of Pakistan in his capacity of President of the ECOSOC. The Delegate of India objected to any *ex-officio* Chairmanship and to choice of Chairman, even otherwise, before the preparatory committee met and otherwise than by the committee itself. The British Delegate opposed the *ex-officio* Chairmanship but strongly recommended Mr. Mir Khan in his personal capacity. The Delegate of India re-stated his opposition on grounds of principle; he said the resolution did not provide for the nomination of the Chairman, *ex-officio* or otherwise; there was nothing personal in his opposition nor should it be misconstrued as opposition to Pakistan, but the Chairmanship should be decided by the preparatory committee itself. This view was generally accepted but the American Delegation then proposed that, among the three representing Asia, Pakistan should be included. Finally, the following composition was agreed upon:—the four Great Powers; Denmark, Netherlands and Yugoslavia from Europe; Chile, Mexico and Peru from Latin-America; India, Japan and Pakistan from Asia, Egypt from the Middle East and Ghana from Africa.

The Americans said they would prefer Saudi Arabia to Egypt but the Indian Delegate suggested Egypt as her Delegation had throughout played an important role in the discussions on SUNFED. The Americans also insisted on Liberia, but the Indian Delegate suggested Ghana as one of the new States which he thought ought to be given a place in the preparatory committee. This latter issue was finally decided by drawing lots and Ghana's name was drawn. The Delegate of India also suggested the inclusion of Poland, but the Yugoslavs remained silent and the French Delegation said it would then have to insist on one more member State from Western Europe. In the General Assembly, the Russians themselves, who favoured Roumania, did not press for either.

Both the Delegate and the Alternate Delegate of India feel that the results achieved constitute a great advance in that the Special Fund has been established. The battle will now be no longer round the establishment of the Fund itself but its expansion which will naturally depend upon availability of sufficient resources. That, on account specifically of non-availability of resources, the Fund should confine its operations to certain basic fields is no derogation of the purposes of SUNFED as work on the economic and social infrastructure partly includes fields like basic surveys and the provision of technological skills. A constructive beginning has thus been

made and the resolution has received the unanimous support of all delegations, with the major industrialised countries equally committed to paragraph 1 of part "B" and to part "C". To achieve this result, the Indian Delegation had to put up a hard and relentless battle and was accused even of "brinkmanship". At two very crucial stages, when some of the co-sponsors, mainly the Latin Americans but not excluding the Dutch and even the Yugoslavs, began to weaken, the Delegate of India threatened to withdraw from co-sponsorship and even to oppose paragraph 1 of part "B" if amended as the Americans desired it and abstain on the resolution as a whole.

Once agreement was reached, the Delegations of Canada and the United States requested permission to co-sponsor the final text. The Delegate of India stated that he would welcome the association provided the Rapporteur made it clear in his report that the resolution was the result of prolonged informal negotiations and was, therefore, a compromise to which all the co-sponsors subscribed.

## PROGRAMMES OF TECHNICAL ASSISTANCE

(a) *Report of the Economic and Social Council.*

(b) *Confirmation of allocation of funds under the Expanded Programmes of Technical Assistance.*

(a) Report of the Economic and Social Council:

The general discussion of the United Nations Programmes of Technical Assistance was initiated by the Executive Chairman of the Technical Assistance Board and the Director General of the Technical Assistance Administration. The Executive Chairman reviewing the activities of the Board for 1956 stated that the 1956 programme had been a landmark as it was not only the largest but also the first one to be carried out according to the new country planning system. Some 104 countries and territories received assistance which, measured in dollars, amounted to 30.5 million as against \$ 25.8 million in 1955.

Mr. Gopala Menon, Representative of India participating in the general discussion said that Member States were unanimous in maintaining that the United Nations technical assistance programmes should continue expanding. India, he pointed out, had continued to increase its contribution in funds and experts. He stressed the growing requirements in technical equipment on the part of recipient

countries in order to supplement the work of the experts. He insisted that in spite of financial difficulties, plans should proceed for the further development of the technical assistance programmes. He also stressed the need for better co-ordination between the United Nations technical assistance projects and national developments plans so as to ensure better efficiency.

When the general discussion on the item was in progress, informal discussion, at the initiative of the Canadian delegation on their provisional draft resolution began. Netherlands, India, Indonesia, Yugoslavia, France, U.S.A. and U.K. participated. Netherlands delegation commenting on the Canadian suggestion proposed that the draft resolution should be split into two as it contained two ideas. Accordingly two drafts resolutions were before the committee.

India, along with France, Netherlands and Yugoslavia, co-sponsored the resolution appealing for increase in the resources of the Expanded Programme. (A/C2/L.347) and the other resolution was co-sponsored by Canada, Denmark, France, Iran, Mexico, Netherlands, Peru, Sudan and the United Kingdom (A/C2/L.348/Rev.1).

There was not much discussion on the resolutions. The four power resolution was adopted by 59 votes to none with six abstentions, and the nine power resolution was adopted unanimously. Explaining the abstention, the Soviet Group countries stated that their abstention was motivated by the fact that their past contributions has not been fully utilized by the Expanded Programme. On the other hand, it was emphasized by some Members who voted for the resolution that their favourable vote in no way committed them to an increase of their countries' present contributions.

(b) The Assembly unanimously confirmed the allocations made under the Expanded Programme of Technical Assistance as recommended by the Technical Assistance Committee.

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## REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

The Committee first considered the United Nations Children's Fund and heard a series of statements praising the Fund's programmes which, in 1957, were to provide tangible benefits to about 45 million children and mothers in 104 countries and Territories. The Report of the UNICEF was presented by its Chairman, Mr. Shafqat of Pakistan.

Speaking for India, Mrs. Mona Hensman paid a tribute to the organization, stating that it was drawing all nations of the world closer and was helping to conquer disease, solve the problem of nutrition and improve living conditions for thousands of women and children.

The Committee unanimously adopted a resolution on UNICEF which was endorsed likewise by the General Assembly on 26th November 1957 [Document A/RES/1160(XII)].

The Committee then proceeded to consider the Report of the Economic and Social Council in general. The Delegate of India, Mrs. Hensman, expressed India's satisfaction at the adoption by the ECOSOC of resolution 663D (XXIV) on the Concepts and Principles of Community Development. She pointed out that India's experience with the community development programmes could be very useful to other countries with such local adjustments as might be necessary.

She also referred to the ECOSOC resolution 642 D (XXIII) calling upon the Secretary-General to explore the possibility of encouraging wider co-operation in demographic work in Africa and of establishing demographic research and training centres in that region. She was happy to note that the Population Commission, the two delegations of U.K. and U.S.A. which abstained on the resolution initiated by India and Egypt had later on changed their vote and supported the resolution in the ECOSOC. She stressed that India attached great importance to the need for the establishment of demographic research and training centres which would help the States in Africa in formulating their plans for economic and social development.

The Indian delegation also supported Afghanistan's request to be recognized as a State producing opium for export. Mrs. Hensman reiterated the view that Afghanistan had a just claim, the recognition of which would help to control illicit traffic in opium. She expressed the hope that the Commission on Narcotic Drugs would grant Afghanistan's request at its next session. She also referred to the adoption of the Convention on the Nationality of Married Women and the Supplementary Convention on the Abolition of Slavery and hoped that in the course of time most States would adhere to them.

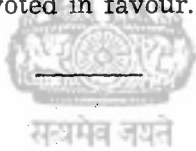
The Third Committee adopted the following three resolutions which were in turn adopted by the General Assembly on 26th November 1957, as indicated below:—

- (1) Resolution on Seminars on the Status of Women [Document A/RES/1163(XII)] adopted unanimously.

- (2) Resolution on Participation of Women in Community Development. [Document A/RES/1162(XII)] adopted unanimously.
- (3) Resolution on Balanced and Integrated Economic and Social Progress. [Document A/RES/1161(XII)] adopted by 67 votes in favour, none against and 9 abstentions. India voted in favour.

The Czechoslovak Delegation introduced a draft resolution on the Development of International Co-operation in the Field of Science, Culture and Education. The resolution was objected to in parts and a number of oral amendments were suggested, which were accepted by the sponsors. The amended resolution was widely supported in the Committee.

Father D'Souza in his intervention supported the spirit of compromise shown by the Czech Delegation and pointed out that cultural and scientific co-operation had always been a means of bringing people together. He also referred to the fact that a resolution of this nature should not be confined to member States of the United Nations. The resolution was adopted in the Committee and was endorsed by the General Assembly on 26th November 1957 [Document A/RES/1164(XII)], by 75 votes in favour, none against and 1 abstention (China). India voted in favour.



## REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES.

### REVIEW OF ARRANGEMENTS OF THE OFFICE OF THE HIGH COMMISSIONER FOR REFUGEES.

The Committee decided to examine these two items simultaneously and had before it the Report of the High Commissioner for Refugees (Document A/3585/Rev.1 and Add 1). The High Commissioner made an introductory statement which was widely appreciated. The new High Commissioner, Dr. Lindt, created the impression that he was a very discreet person who, within his mandate, would like to be as helpful to all concerned as was possible. This impression helped the High Commissioner to get a far greater measure of support than the previous High Commissioner used to get.

Dr. Lindt approached the Delegation of India informally and requested us to change our attitude to the problem of European

refugees and extend at least our moral support to the High Commissioner and his work. Father D'Souza explained to the High Commissioner that India had a large number of refugees of her own which made it impossible for her to take an active interest in the problem of other refugees. For this reason, we did not take an active part in the discussion on this item and abstained in the vote on all the resolutions.

The following three resolutions were adopted by the Committee, which were endorsed by the General Assembly on 26th November 1957:—

- (1) Prolongation of the Office of the United Nations High Commissioner for Refugees. [Document A/RES/1165(XII)] adopted by 66 votes in favour, none against and 9 abstentions.
- (2) International Assistance to Refugees within the Mandate of the High Commissioner. [Document A/RES/1166(XII)] adopted by 63 votes in favour, none against and 10 abstentions.
- (3) Chinese Refugees in Hong Kong [Document A/RES/1167(XII)] adopted by 50 votes in favour, 9 against and 11 abstentions.



### RECOMMENDATIONS CONCERNING INTERNATIONAL RESPECT FOR THE RIGHT OF PEOPLES AND NATIONS TO SELF-DETERMINATION

In the discussion on this item, it was realized in the Committee that there was no time to discuss this matter fully, especially when it related to a controversial matter. It was also known that if the draft resolution forwarded to the General Assembly by the ECOSOC in terms of its resolution 586 D(XX) was discussed, the United States would come out with a resolution of its own. As there was not enough time to discuss all these controversial resolutions, the feeling grew in the Committee that this item be postponed to the next session. Consequently, Afghanistan, Panama, Philippines, Saudi Arabia and Uruguay submitted a draft resolution A/C.3/L.659/Rev.1 which was adopted in the Committee. In the General Assembly, the resolution [Document A/RES/1188(XII)] was adopted by 65 votes in favour, none against and 13 abstentions. India voted in favour. In our explanation of the vote in the Committee, we stated that as there was not enough time for an exhaustive study of the

matter this year, it should be given priority at the next session. It was also pointed out that in our view, self-determination was not only a principle but indeed a right.

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## DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS.

The Third Committee took up the discussion on the Draft Covenants on Human Rights from where the 11th session of the General Assembly had left them. At this session, it discussed and adopted Articles 14, 15 and 16 of the Draft Covenant on Economic, Social and Cultural Rights and Article 6 of the Draft Covenant on Civil and Political Rights.

The Committee first considered Article 14 of the Draft Covenant on Economic, Social and Cultural Rights, as submitted by the Commission on Human Rights. This article deals with the right of everyone to education. In the course of his intervention, Father D'Souza stated that the Government of India gave its whole-hearted support to the principles embodied in Article 14 because India had herself adopted identical principles and was implementing them throughout the country. It was hoped that in 4 or 5 years' time, primary education would be compulsory and available free to all children up to the age of 14. He stressed that apart from the duty of the State in regard to education, the family and certain agencies also could and should play an important part. Father D'Souza emphasized that the word "merit" in paragraph 2(c) could be interpreted very widely and so far as he was concerned, he thought that it should be interpreted in the widest sense. He felt that if it was interpreted in a purely scholastic sense in terms of marks, examination results, etc., pupils from the poor and backward classes would be at a disadvantage compared with those with a more comfortable and cultural background. He pointed out that the Government of India was anxious to provide equal opportunities for all and had amended the Constitution to enable members of castes which had long been under-privileged, e.g., the untouchables, to overcome their relative backwardness. In conclusion, he referred to the fact that a pupil might be educated even though he had not received any formal schooling. In India, he said, the population included a high percentage of illiterates but they had a deep-rooted tradition of culture and took an active interest in life.

A number of amendments were submitted as contained in Documents A/C.3/L.617, 618, 619, 620, 621, 622, 623 and 624. In view of the large number of amendments, the Committee decided to set up a working party consisting of those who had moved the amendments. The Working Party submitted a revised text as contained in Document A/C.3/L.625 which attempted to incorporate the different points of view as expressed in the various amendments.

Speaking on the revised text, Father D'Souza said that he would not commend the establishment of working parties for every article because the working parties had a tendency of trying to reconcile the points of view of only those who were members of the working party and who had themselves submitted amendments. Perhaps this could not be helped; but this was a handicap on the manner of functioning of the working parties. He regretted the inclusion of sub-paragraph 2(e) which, in his view, was superfluous as the same ideas had been expressed elsewhere. He also felt that reference to material conditions of the teaching staff were an important consideration but that they were out of place in the present article as the whole question was adequately covered by Article 12. He agreed with the point of view of the Polish representative that it was undesirable to encourage the establishment of a large number of schools of different types. He referred to paragraph 4 as a proof of the liberty of the individuals and bodies to establish and direct educational institutions. India, for instance, had benefited from the schools founded by Rabindra Nath Tagore which had begun as experiments and had proved so successful. He therefore indicated that he would vote for paragraph 4 on the understanding that duplication of effort was to be avoided.

The Article as a whole was adopted by 71 votes to none with 4 abstentions. India voted in favour.

**Article 15.**—This article relates to the implementation of Article 14 and calls upon each State party to work out within two years a plan of action for the progressive implementation within a reasonable number of years of the principle of compulsory primary education, free of charges for all.

The representatives of U.K. and Australia were very vocal in voicing their criticism of this Article. They felt that it would bind the metropolitan authorities without having an opportunity of obtaining the prior consent of the non-self-governing but autonomous territories for which they were responsible. This led to a certain amount of heat in the Committee and was treated as an attempt by



the Colonial Powers not to accept responsibility towards the speedy development of educational programmes for Trust and non-self-governing territories. Father D'Souza made a very soothing speech in which he pointed out that it would not be proper to question the motives of any State. He pointed out to the Colonial Powers that they need not be apprehensive about the provisions of the Article because it called forth only for the preparation of plans within two years. With these remarks, the Indian Delegate indicated his support for Article 15. The Article was adopted by 60 votes to 3 with 8 abstentions. We voted in favour.

*Article 16.*—This Article dealt with the right of everyone to take part in cultural life to enjoy the benefits of scientific progress and its applications. Speaking on this Article, Father D'Souza indicated that he was prepared to support Article 16, although it was rather vague and suffered from imprecise drafting. He felt that education and culture belonged to two domains which did not necessarily coincide. Culture was the expression of a civilization and a way of life, it was a heritage enjoyed by all men, including illiterates. Strictly speaking, there could be no question of the right to culture because each person necessarily belonged to a given culture. He indicated that he would favour the retention of sub-paragraph (b) of paragraph 1 because he felt that scientific discoveries should benefit not only all individuals but also nations. He indicated also that paragraph 2 was obviously useful and that the Indian Delegation would vote in its favour. As regards paragraph 3, he felt that the word "indispensable" was essential and should be retained. At the same time, the right of government to limit the freedom of scholars and artists, in the interest of public order and morality, must be recognized. Subject to this reservation, the Indian Delegation would support paragraph 3.

The Indian Delegate criticized the Czechoslovak amendment contained in Document A/C.3/L.633 (para. 1) because he felt that it was not necessary to insert a reference in each article to the interest of peace and co-operation. Moreover, he asked whether concern for peace should lead nations to delete from their history books all references to past wars or armed conflicts.

The discussion on this Article brought out the fact that one of the best ways of encouraging cultural and scientific development was to promote international contacts in those fields. Paragraph 2 of the Czechoslovak amendment was therefore widely welcomed. Article 16 as a whole as amended was adopted by 71 votes to none with 1 abstention. We voted in favour.

In view of the fact that the Committee had earlier decided to deal with the substantive clauses of the Covenants first, it decided to go on to the other Covenant on Civil and Political Rights. There the first substantive article was Article 6 which dealt with the Right to Life.

*Article 6.*—The discussion on Article 6 was a very stimulating one as it centred round the issue of capital punishment. Some of the Latin American States were very vehement about abolishing capital punishment and talked loudly about the fact that capital punishment had been abolished in a number of Latin American States. Speaking on this Article, Father D'Souza made it clear that while he favoured the idea of the abolition of capital punishment, yet it was not a practical proposition and that it could not be abolished in the near future. He agreed that everyone had the right to life which could be taken away only under certain specified conditions well defined by law.

In view of the large number of written and oral amendments, a working party was established to harmonise the various amendments and suggestions. The Working Party did not submit a unanimously approved text but suggested a number of alternatives that indicated an order of voting. Further amendments were moved to the proposals of the Working Party.

A majority of the Committee felt that the Article should start by affirming the inherent right of everyone to life. It was considered desirable that instead of a negative assertion, there should be a positive statement affirming the inherent right of everyone to life. The Article as a whole as amended was voted by roll call and was adopted by 55 votes to none with 17 abstentions. We voted in favour.

The report on the Draft International Covenants on Human Rights came up before the General Assembly on 11th December 1957. The General Assembly decided to continue the discussions on the Draft Covenants at the 13th session.

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## DRAFT CONVENTION ON THE FREEDOM OF INFORMATION

The Committee had before it the following documents:—

- (a) Two notes prepared by the Secretary-General giving the background of the Draft Convention. (Documents A/3150 and A/3589);

- (b) The text of a Preamble and 19 Articles on the Freedom of Information, prepared in 1951 by the General Assembly's *ad hoc* Committee;
- (c) An account of the discussions on the Draft Convention at the 19th session of the ECOSOC.

The general discussion on this item raised a number of aspects of freedom of information. Mr. Baroodi of Saudi Arabia made a number of long interventions dealing with the chequered history of the Draft Convention and made the suggestion that an *ad hoc* committee of 24 States might be asked to meet during the summer of 1958 to give detailed consideration to the Draft Convention.

The Delegate of India, Mr. Sahni, made a number of interventions in the course of which he pointed out that since the Draft Convention was a controversial matter, it could best be considered with all members present. It was obvious that the best forum therefore would be the Third Committee itself at the 13th session. No *ad hoc* committee, whether it consisted of 24 or 35 members, could be as representative as the Third Committee. Time had come when the Third Committee itself should take it up. He insisted that at the next session, the Committee should begin discussion of the Draft Convention article by article and decide one way or the other whether to agree or to disagree. He pressed for a clearcut verdict.

His intervention was well received and the Delegate of the Philippines, who had submitted a draft resolution (A/C.3/L.660) Part A of which dealt with the consideration of the Draft Convention on Freedom of Information, accepted this suggestion and incorporated it in his revised text.

Speaking again in regard to Part B of the Draft resolution, Mr. Sahni suggested that it was desirable to delete the words "including ways and means of solving them" from paragraph 2(a) so as to make the provision more generally acceptable. In addition, in order to clarify the task entrusted to the Commission on Human Rights, paragraph 2(b) could be amended to read as follows:—

"The possibility of preparing a draft declaration on freedom of information, based on Article 19 of the Universal Declaration of Human Rights and taking into account principles of freedom and responsibility already endorsed and accepted in the United Nations."

These suggestions were accepted by the Delegate of the Philippines and were incorporated in the Draft Resolution.

Taking the floor on the amendments, Mr. Sahni referred to the U.S. amendment (Document A/C.3/L.662) to Part B. Mr. Sahni indicated that he had some misgivings about the U.S. amendment as the mere free flow of information was not enough because 10 lies would not make one truth. He objected to the inclusion of the words "accurate and undistorted" but indicated that from the professional point of view the words "objective and factual" would have been better. However, since the suggestion came a little too late in the day, he would not press for it and would support Part B as it stood. He was also in favour of Part C but felt that the words "or indirectly" should be omitted, since member States would have enough to do to provide information on such of their laws as related directly to freedom of information.

In the voting, India supported the Chilean amendment contained in Document A/C.3/L.661 which was adopted by 44 votes in favour, none against and 18 abstentions. India opposed the U.S. amendment contained in Document A/C.3/L.662 which was defeated by 27 votes in favour, 29 against and 8 abstentions.

The revised Philippines' Draft Resolution contained in Document A/C.3/L.660/Rev.1 was adopted by the Committee. It came up before the General Assembly on 11th December 1957 and was adopted as follows:—

Part A—75 in favour, none against and 1 abstention.

Part B—50 in favour, none against and 24 abstentions.

Part C—55 in favour, none against and 19 abstentions.

We voted in favour. In terms of the resolution, the Draft Convention would be discussed at the next session of the General Assembly.

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## SOUTH WEST AFRICA

The Union of South Africa continued to be absent from the meetings of the Fourth Committee. Two petitioners were heard, namely, the Reverend Michael Scott and Mr. Getzon. After outlining the difficulties facing the indigenous population, they stressed the inability of certain persons to come before the United Nations to testify orally in regard to conditions in the Territory. The Fourth Committee thereupon approved the grant of hearings to

those who wished to come to New York, but as was expected, the Union Government refused to give them the necessary passports.

The Fourth Committee had before it two Reports prepared by the Committee on South West Africa, the first one dealing with conditions in that Territory, and the second with legal action to ensure the fulfilment of the obligations assumed by the Government of the Union of South Africa. The first Report was prepared in accordance with the normal supervisory responsibilities of that Committee, while the second was the direct outcome of our resolution introduced last year which requested that Committee to examine available legal measures.

The first Report on internal conditions in South West Africa brought out quite clearly the worsening of conditions following the various administrative attempts by the Union Government to integrate the Territory as a fifth province of the Union. Apart from representation for the Territory in the Union Parliament, the administration of "Native Affairs" has been transferred to the control of the Union Government, and all "native reserve land" in the Territory has now become vested in the South African Native Trust administered by the Union Government. These measures have facilitated the application of apartheid policies in all fields of administration in the Territory. The Committee on South West Africa concluded its Report by stating that "existing conditions and the trend of administration represent a situation contrary to the mandate system, the Charter of the United Nations, the Universal Declaration of Human Rights, the advisory opinions of the International Court of Justice and the resolutions of the General Assembly"!

The second Report on legal action simply referred to the various possibilities open to the United Nations, its Members and former Members of the League of Nations. It did not make any specific recommendation, but its general tenor indicated that legal action could be taken against the Union in terms of Article 7 of the mandate, as a consequence of its failure to submit to the UN annual reports and petitions. So far as administrative supervision was concerned, as opposed to judicial supervision, the Committee expressed the view that the International Court could be asked for an advisory opinion as to whether specific acts of the Union were in conformity with the obligations assumed by it, in order that thereafter recommendations might be addressed to the Mandatory Power, i.e., the Union Government.

During the general debate, Members showed that they were fully alive to the implications of this twelve-year old deadlock and to the fact that the time had come when legal action would be justified. However, there was a general reluctance to take this extreme step straightaway, and it is noteworthy that no Member specifically proposed that legal action should be taken just now. On the other hand, the prevailing mood was that since the Committee's report on legal action was circulated only a few days before the commencement of the session, more time should be given to delegations to examine this complex question very carefully. Iran, Japan, Mexico, Saudi Arabia and Morocco appealed generally to the "white" members of the Commonwealth and particularly to the United Kingdom to use their good offices to break the deadlock. Haiti, Israel and Ireland suggested that a Commission comprising the United Kingdom and the USA might visit the Union and discuss matters with that Government with a view to persuading it to comply with the General Assembly resolutions. The USA was not in favour of any direct legal action by the United Nations and preferred to allow the weight of world opinion to influence the Union in due course. It is significant that no western European country spoke in the debate, either because it was embarrassing to do so, or because it did not wish to participate in the process of supervision annually exercised by the General Assembly.

Liberia introduced a draft resolution (A/C.4/L.487) on conditions in the Territory which, after noting with concern and in detail the many findings of the Committee on South West Africa, called upon the Union Government to give its urgent attention to those conclusions. The resolution was expressed in strong terms; subsequently it was withdrawn and a very short resolution (A/C.4/L.487/Rev.2) was introduced which simply approved the Report of the Committee on South West Africa. This was adopted by the Committee by 60 votes in favour, none against and 16 abstentions, India voting for it. The Plenary vote was 65 : 0 : 15 abstentions. Liberia also introduced another resolution (A/C.4/L.488) on the status of the Territory which reiterated all previous resolutions and asserted that the Territory should be placed under trusteeship in accordance with the provisions of Chapter XII of the Charter. This resolution was also adopted by 55 votes in favour, 2 against and 18 abstentions, India voting for it. The Plenary vote was 60 : 3 : 17 abstentions.

India together with Ceylon, Ecuador, Ethiopia, Ghana, Guatemala, Syria and Yugoslavia introduced a resolution (A/C.4/L.490) on

legal action. It was in two parts, the first part relating to judicial supervision in accordance with Article 7 of the mandate, and the second relating to the normal administrative supervision of the General Assembly. The first part noted with deep concern that the Union had failed to submit annual reports and that this failure constituted a basis for legal action in terms of Article 7. The resolution however simply drew the attention of Member States to this particular course of legal action open to them. At the request of the representatives of Guatemala, Venezuela, Uruguay and Mexico we inserted a further paragraph under which the General Assembly would resume consideration of this question at the thirteenth session. However, the terms of the first part leave it open to the Members to take legal action immediately if necessary.

The second part of the resolution took up the suggestion made by the Committee on South West Africa and requested it to consider further those specific acts of the administration on which a reference to the International Court might be usefully made as to their compatibility or otherwise with Article 22 of the League Covenant, the Mandate and the Charter of the United Nations. The Report had actually referred to several instances of violation of the Mandate; for example, the contravention of the right to petition, the violation of the principle of non-annexation by providing representation for the Territory in the Union Parliament, the transfer of "Native Affairs" to the Union Government, the appropriation of "native reserve lands", the extension of apartheid policies to the Territory, etc. These are matters which relate to the interpretation and application of the provisions of the Mandate and it would be useful to take legal advice as to the extent to which these administrative acts are compatible with the Mandate and the Charter. Our resolution was adopted by a vote of 55 in favour, 4 against and 18 abstentions, India voting for it. The Plenary vote was 55 : 3 : 17.

After the general debate and after all the above-mentioned resolutions had been tabled, the Chairman of the Fourth Committee, Mr. Khoman, took it upon himself to introduce at the last minute a draft resolution (A/C.4/L.492) allegedly in response to the many appeals to the United Kingdom and the USA for a combined diplomatic approach to the Union Government. The resolution was obviously the result of direct and private discussions between the Chairman and the Union's representative here. It sought to establish a Good Offices Committee consisting of the USA and UK and a third Member to be nominated by the President of the General

Assembly in order to discuss with the Union Government a basis for an agreement which would continue to accord to the Territory an international status. For one thing, the procedure adopted by the Chairman was most unusual and this provoked much unfavourable comment. For another thing, the resolution was presented as a *fait accompli* and the Chairman explained that he would not be able to accept any amendments to it, for the Union Government was not prepared to discuss the question on any basis other than what had already been privately agreed between them! The UK and the USA supported the Chairman and stressed that if the resolution was amended, the prospects of negotiations with the Union Government would entirely disappear. Although this attitude was thoroughly objected to by many Members, there was an undercurrent of feeling that one last attempt should be made to talk to the Union Government even on its terms before embarking on any legal action to ensure the fulfilment of the Mandate's obligations.

However, this did not prevent certain Members from introducing amendments (A/C.4/L.493 Rev.2). India and Uruguay proposed that the third Member should be elected by the General Assembly, and also that the terms of reference of the Good Offices Committee should be to discuss a basis for a solution in conformity with the international status of the Territory and the Charter of the United Nations. Guatemala and Ecuador proposed that the Good Offices Committee should submit its Report for examination and decision by the General Assembly at the thirteenth session. The introduction of the Chairman's resolution was regarded in some circles as jeopardizing the other resolutions before the General Assembly, including our own, for they felt that if a diplomatic approach was to be made, other action should meanwhile be suspended. Furthermore, the Chairman refused to accept any amendments. We were thus faced with a difficult situation, for if our amendments were adopted, the UK and the USA threatened to withdraw from the Good Offices Committee, which would then *ipso facto* cease to exist! If our amendments were defeated, the Good Offices Committee would be established on a basis which was not entirely acceptable! Everyone was anxious that the Good Offices Committee, while having a certain freedom to discuss the question with the Union Government, should however conduct its negotiations within the framework of the Charter and the General Assembly resolutions, and should not in any case prejudice a decision by the General Assembly in accordance with the Charter.



The initial support we had for our amendments began to show signs of dwindling away, and in the circumstances, we decided to save the situation by proposing in effect to the UK and the USA that the resolution should clearly state that the General Assembly at its next session would examine the Report of the Good Offices Committee and take a decision in accordance with the Charter. This would give the Committee the required freedom of discussion and it was accepted and incorporated in the second operative paragraph of the resolution, whereas we had previously tried to incorporate this idea in the first operative paragraph relating to the terms of reference of the Good Offices Committee. Our second amendment regarding the election of the third Member was lost by a vote of 28 in favour, 35 against and 16 abstentions. Here again, when we knew that this would be lost, we obtained assurances from the UK and the USA that the third member would not be Italy, France or Japan, which were once associated with the USA and the UK as the Allied Powers of World War I, and with whom the Union Government was prepared a few years ago to enter into an agreement. The selection of any one of these three Members to the Good Offices Committee would have given the impression that the United Nations was in agreement with the South African view.

A last-minute attempt by Norway to give priority to the Chairman's resolution on the Good Offices Committee and to postpone consideration of all other resolutions was fortunately thwarted by our intervention behind the scenes. The net result was that all the resolutions were adopted; firstly, the Liberian resolution reiterating that the Territory should be placed under trusteeship; secondly, the Indian resolution drawing the attention of Member States to the legal action provided for in Article 7 of the mandate, and requesting the Committee on South West Africa at the same time to specify acts of the administration on which a reference to the International Court could be made, and thirdly, the Chairman's resolution which establishes the Good Offices Committee to discuss with the Union Government a basis for an agreement which would continue to accord to the Territory an international status and to report to the next session of the General Assembly for a decision in accordance with the Charter. In the light of the first two resolutions, it is inconceivable that the Good Offices Committee will prejudice the position taken so far by the General Assembly. The Fourth Committee vote on the Good Offices Committee resolution was 52 : 10 : 17 abstentions, and the Plenary vote was 50 : 10 : 20. India abstained

in both votes. The President nominated Brazil as the third member of the Good Offices Committee.

By resolution 1061 (XI) of 26 February 1957, the General Assembly had decided that the composition of the Committee on South West Africa should be increased to nine members appointed by the General Assembly on the recommendation of the Fourth Committee. It had also decided that one-third of the membership of the Committee should be renewed by the same procedure annually.

In the absence of precise rules as to the renewal of one-third of the membership, an agreement had been reached by the members of the Committee on South West Africa to the effect that the three members who had served the longest terms on the Committee should withdraw from 31 December 1957. These three members were Syria, Thailand and Uruguay.

The Fourth Committee elected Egypt and Indonesia and re-elected Uruguay to be members of the Committee on South West Africa as from 1 January 1958.

## INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

### Elections

Peru's term on the Committee on Information expired this year, and Brazil was elected in its place by a narrow margin of 1 vote. The required majority was 38 and Brazil polled 39! Liberia contested the seat and secured 35 votes despite the seat belonging to Latin America.

As is customary under this item, several reservations were made by members, e.g., by Spain, regarding its sovereignty over Gibraltar, by Yemen over Aden, by Argentina over Falkland Islands and their dependencies, by Chile over its Antarctic territories, by Guatemala and Mexico over British Honduras, by Indonesia over West Irian, and by Morocco over Mauritania, Spanish Sahara and the Ifni Enclave. India associated itself with the reservations of Indonesia regarding West Irian and commented also on the absence of information about certain non-self-governing territories, notably those belonging to Portugal and Spain.

This year the General Assembly was concerned mainly with economic conditions in non-self-governing territories, and a general

discussion followed the introduction of the report of the Committee on Information. The report was approved and the administering members were invited to bring it to the attention of the territorial authorities. The examination of the report in the Fourth Committee was related directly to the objectives of economic policy defined in 1954 by the General Assembly and to the provisions of Chapter XI of the Charter, particularly the principle that the interests of the inhabitants of non-self-governing territories were paramount. Progress of development plans was discussed in relation to the need for external financial assistance as well as to the need to integrate them with the general development plans of the territory.

### **European Common Market**

During the general debate on economic conditions, several delegations referred to the association of non-self-governing territories with the European Common Market, and the representative of France raised a point of order concerning the competence of the General Assembly to discuss the question. We replied that this association was a matter that directly affected the economic development of colonies in terms of Article 73 of the Charter. We rejected the French thesis of 'a posteriori' control, and pointed out that discussion of this matter was not "intervention" within the meaning of Article 2(7) of the Charter. Furthermore, matters which were the subject of an international treaty and additionally attracted the provisions of Article 73 of the Charter were not essentially within the domestic jurisdiction of any Member State. The French delegate did not press his point, and thereafter discussion of the association of non-self-governing territories with the European Common Market continued and later assumed major proportions.

Czechoslovakia began by lobbying for sponsorship of a resolution on this question and when it failed to obtain appreciable support, we seized the initiative, drastically amended the Czech draft (A/C.4/L.498 Rev.1) and tabled it with 19 co-sponsors including Czechoslovakia. This resolution invited the administering members to transmit information on the association of their non-self-governing territories with the European Economic Community in conformity with Article 73(e) of the Charter, and requested the Secretary-General to prepare for the next session a report on developments connected with this question taking into account relevant studies undertaken by other UN organs.

Several attempts were made to wreck this project. Canada suggested that the report of the Fourth Committee should reflect the discussions that had taken place there, and that no resolution should be adopted this year. France tried to shift this question to the economic organs of the United Nations, which in its opinion were more qualified to deal with it. All these attempts fortunately failed and the resolution was adopted by a vote of 51 in favour, 13 against and 8 abstentions. The Plenary vote was 57 : 12 : 9. The members of the European Economic Community, United Kingdom, Australia, New Zealand, Canada, USA and the Scandinavian members voted against it.

### **Voting Procedure**

Mexico submitted a draft resolution (A/C.4/L.497 Rev.2) with five other sponsors requesting the International Court of Justice to advise on the meaning of Article 18 of the Charter in relation to the voting majority required for questions concerning non-self-governing territories, i.e., whether the majority should be simple or 2/3rds. This resolution was drafted in consultation with us, but we preferred not to be a co-sponsor, as it might have provoked the criticism that we were persecuting the Portuguese! Last year it was proposed that the Portuguese reply that it had no colonies should be examined by an *ad hoc* committee. The proposal, although adopted by the Fourth Committee by 35 votes in favour and 33 against, was subjected to a decision in the Plenary by a 2/3rds majority vote, as if it were an important question under Article 18(2) of the Charter, and was lost by a tie vote 35 in favour, 35 against.

The colonial powers, when it suited them, invoked the 2/3rd majority rule in order to defeat an unpalatable resolution. Mexico and others felt that this situation was unsatisfactory and needed to be clarified. Their view was that as questions concerning non-self-governing territories had been excluded from the category of important questions under Article 18(2), the simple majority rule should invariably apply. The French and Spanish translations of Article 18(2) supported this view, whereas the English text left some room for the view that the list of questions in Article 18(2) was illustrative and not exhaustive. Some members felt that the General Assembly should determine its own procedures and that the terms of Article 18(2) were advisedly flexibly worded.

Colombia suggested that the Sixth Committee should be asked to clarify this question rather than the International Court of Justice.

Mexico finally accepted the suggestion to refer the question for advice to the Sixth Committee and the resolution was adopted by a vote of 32 in favour, 29 against and 12 abstentions, India voting for it. Portugal opposed the resolution, as it knew that if the interpretation of Article 18(2) should be in favour of a decision by a simple majority vote on all questions concerning non-self-governing territories, its own colonial problem would once again be revived. Unfortunately, the Sixth Committee was unable to reach any useful conclusions, and this question is likely to be revived at the next session (A/C.6/L.417).

### **Transmission of Information**

Belgium announced that it had resumed transmission of information which had been delayed by several months.

Spain explained that it was still considering sympathetically the problem of the African continent and hoped to reply to the Secretary-General in due course; it added that its reply would be "entirely in accordance with the spirit of the Charter".

During the general discussion several delegates referred specifically to the absence of information about Portuguese territories, and Portugal once again affirmed its position that it had no non-self-governing territories. India and 16 other sponsors then introduced draft resolution (A/C.4/L.504 Rev. 2), which would have invited the Secretary-General to summarise the replies of the Member States and the opinions expressed by them in regard to Article 73 of the Charter, and established a Committee of six members to be elected by the Fourth Committee in order to study the summary prepared by the Secretary-General and to report on it to the next session.

This was an attempt to revive last year's project but there were important differences. Firstly, the replies of *all* Member States would be studied and not only the replies of the new members as was intended last year. Secondly, the study would be confined to the principles that underlay the enumeration of non-self-governing territories under Chapter XI, and would not extend to an examination of the substance of the replies themselves. The administering members, however, opposed it on the ground that the General Assembly was not competent to examine the replies. Dominican Republic proposed that the study should be carried out by the Committee on Information. Venezuela suggested that the committee which would study this matter should comprise half administering

members and half non-administering members. Both the amendments were subsequently withdrawn, and the resolution was adopted by a vote of 42 in favour, 27 against and 8 abstentions, which was an improvement over last year's vote of 35 in favour, 33 against and 4 abstentions. However, at the Plenary meeting Colombia moved that the decision on the resolution should be by a two-thirds majority vote, and its motion was adopted by 38 votes in favour, 36 against and 7 abstentions. The resolution was then put to the vote and secured only 41 votes in favour, 30 against and 10 abstentions. It was rejected, as it had failed to gain a two-thirds majority.

During the discussion of the resolution Belgium and Pakistan referred to the Andaman and Nicobar Islands as being non-self-governing territories within the meaning of Article 73 of the Charter. While they did not propose that India should submit information regarding them, they argued that these islands were as much an integral part of India as the overseas territories of Portugal were a part of Portugal. We made it clear, of course, that the Islands were an integral part of the metropolitan territory of India, which was excluded from the scope of Chapter XI—see Article 74 of the Charter. We added however that the Indian reply to the Secretary-General would be subject to the same degree of examination by the proposed committee as the replies of the other Member States.

#### THE FUTURE OF TOGOLAND UNDER FRENCH ADMINISTRATION

It will be recalled that at the Eleventh Session of the General Assembly France presented the text of the new Statute for French Togoland, announced the results of the referendum in which the majority had voted for the Statute, and then requested the termination of trusteeship on the basis of that Statute. The General Assembly did not accede to that request, and instead sent to the Territory a Commission of six Members to examine and report on the situation resulting from the practical application of the new Statute.

The report of that Commission was the main focus of discussion at the Twelfth Session of the General Assembly. The Trusteeship Council had briefly examined that report and transmitted it to the General Assembly with the opinion that the report as well as the views of the Administering Authority provided "a useful basis for

reaching a mutually satisfactory solution in accordance with the Charter and the Trusteeship Agreement". The report had found (a) that full autonomy had yet to be attained by the Territory through the further transfer of powers not yet within its competence, (b) that elections on the basis of universal suffrage to the Territory's representative organizations would be necessary at an early date, and (c) that at an appropriate time the people of the Territory would need to be consulted by appropriate means about their wishes in regard to the future of the Territory, and that such consultation should be undertaken with the agreement of the General Assembly.

There were four petitioners from the Territory, all of whom stressed that there should be no termination of the Trusteeship Agreement until the attainment of independence by the Territory. They complained *inter alia* of the absence of normal guarantees for free political activity in the Territory and demanded early elections under United Nations supervision. Their other grievances were the inadequate and hasty preparation of the people for self-government, the unhealthy financial dependence of the Territory on France, the continued representation of the Territory in the metropolitan parliamentary organs, and the backward, feudal character of the society in the northern part of the Territory.

The Minister of Finance of the Government of Togoland and the President of its Legislative Assembly participated in the debate as Members of the French delegation, which was led by the French Minister for Overseas Territories, M. Jacquet. The French representatives claimed that a large measure of internal autonomy had been attained, and that they were applying the new Statute in a liberal spirit and that the future of Togoland lay in the direction of association with a larger unit such as France, which would be able to ensure the continued economic and social progress of the Territory. France however did not specifically ask for termination of trusteeship this year, but indicated quite clearly that such a step could not be delayed much longer.

During the debate, there was general recognition that the Territory had not yet attained a full measure of self-government, and that further transfers of powers had to be made before the question of termination of trusteeship could seriously be considered. The administrative services were still run at the higher levels by French citizens, and the territorial budget was receiving an annual subsidy of 900 million francs. In addition, it was receiving special assistance

of about 350 million francs to pay for the services of the French nationals in the administration. Financial assistance for development purposes was of the order of about 800 million francs a year. In the political sphere, elections on the basis of universal suffrage had yet to be held. In these circumstances, the General Assembly was most reluctant to consider termination of trusteeship on the basis of the Territory's present stage of political evolution.

The representative of Togoland Government indicated at the commencement of the debate that there was a possibility of elections being held shortly, and that France was likely to hand over to the Territory powers in respect of civil liberties, judiciary and constitutional revision. He added that the Government of Togoland desired termination of trusteeship thereafter, on the understanding that there would be a simultaneous transfer of the residual powers to the Territory. However, there was a great deal of opposition to terminating trusteeship before all powers had actually passed into territorial hands.

Towards the end of the debate, the French Minister for Overseas Territories announced that general elections to the Legislative Assembly on the basis of universal suffrage would be held next year and invited the United Nations to send a team of observers. He stated also that it was the intention of France to transfer to the territorial authorities before the elections all powers except Defence, Diplomacy, Currency and Foreign Exchange; and he hoped that the newly elected Legislative Assembly would be given an opportunity to express its opinion on the termination or continuation of trusteeship. He added that thereafter it would be up to the next session of the General Assembly to implement whatever decision might have been reached by the new Legislative Assembly. Privately, the French delegation informed us that they would appreciate it very much if we maintained an attitude of sympathetic neutrality. It was explained to them that our position generally was to recommend further reforms, and not to commit ourselves at the present juncture to termination of trusteeship.

The last statement of the French Minister for Overseas Territories created a good impression in the General Assembly, but it was to some extent dissipated by the original form of the draft resolution inspired by France and introduced by Canada, Colombia, Denmark, Ireland, and Liberia. In that resolution (A/C.4/L.508) the sponsors envisaged (1) elections to the Legislative Assembly in 1958 with



United Nations observation, (2) the formulation by the new Legislative Assembly, in consultation with the Administering Authority, of final proposals for the termination of trusteeship, and (3) that the General Assembly at its next session would take formal action to terminate the Trusteeship Agreement. This ambitious draft resolution was shown to our delegation, and we suggested a number of amendments which were designed not to commit the General Assembly prematurely to any particular point of view. Some of the amendments were accepted, and a revised text was introduced by the sponsors in (A/C.4/L.508 Rev.1). As the revised text was not fully satisfactory, eleven members including India co-sponsored a number of amendments in (A/C.4/L.510). During the ensuing discussion some of the amendments were accepted by the sponsors, and the debate then hinged on three main points:—(1) the machinery of United Nations supervision, (2) the extent of United Nations supervision, and (3) the action to be taken next year by the General Assembly.

Whereas the sponsors of the draft resolution had desired that the President of the General Assembly should nominate a Commissioner, the sponsors of the amendments desired to elect a Commission of three Members. A compromise was finally reached whereby the General Assembly would elect a single Commissioner, as was done for the British Togoland plebiscite. In regard to the extent of supervision, the general view was that supervision should not be excluded from any particular stage of the elections, and that it should commence with the revision of the electoral registers. Unless there was adequate supervision, it was conceivable that some political parties might continue to boycott the elections. Most Members desired that there should be sufficient guarantees for free and fair elections, and that the political atmosphere should be improved so as to facilitate free political activity before and during the elections. Although the draft resolution in its final form authorizes the United Nations Commissioner to be consulted on the arrangements for the organization and conduct of the elections, it was by no means clear in regard to the scope and extent of the authority of the United Nations Commissioner. Presumably this will be defined more precisely after the appointment of the Commissioner. In any case, it was felt that the arrangements should be more or less similar to those which were made for the British Togoland plebiscite.

Lastly the new Legislative Assembly, according to the original draft resolution, was to express its views on the termination of

trusteeship. It was thought that the new Legislative Assembly's functions could not thus be circumscribed, and that it should be given an opportunity to examine the new Statute and generally the future of the Territory, including the possible termination of trusteeship. This idea was accepted and suitably incorporated in the final draft resolution. The last operative paragraph of the draft resolution stated that the General Assembly at its next session would "reach a decision, if requested by the new Legislative Assembly and the Administering Authority, on the question of termination of trusteeship". The paragraph was subsequently amended by an addition to the effect that any decision would be "in the light of the circumstances then prevailing and be in accordance with article 76(b) of the Charter". In other words, termination of trusteeship could take place only on the attainment of self-government or independence. The draft resolution was adopted by a vote of 50 in favour, none against, and 26 abstentions, India abstaining. The Plenary Vote was 50 in favour, 1 against (Ghana) and 29 abstentions including India.

There is little doubt that the new Legislative Assembly will ask for termination of trusteeship on the ground that the Territory has acquired all powers except Defence, Diplomacy, Currency and Foreign Exchange. The French will make out a case to the effect that a maximum measure of self-government has been attained, and that there is therefore no need for continued trusteeship. Unless the elections are fraudulent, it will be very difficult for many members in the General Assembly at the next session to resist a demand for termination of trusteeship on the above basis. It will be argued that the door to an independent status for Togoland is not closed and that the Territory, if it so desires, could leave its association with France at a later stage. Meanwhile, it will be contended that in the interests of the Territory itself association with France will be necessary, and that during the period of such association continued trusteeship would be inappropriate. It will have to be recognized of course that a substantial measure of self-government will have been attained next year, and that if there is any demand for termination of trusteeship, it will have the support of the majority of the population. It will be very difficult to oppose the freely expressed wishes of the people through their representatives elected on the basis of universal suffrage.

On the contrary, it must be pointed out that while there may be a case for a revision of the Trusteeship Agreement in the light of

the changed circumstances, there will be little justification for final termination of trusteeship, as *full* self-government will not have been attained. In those circumstances, it may be necessary to retain some loose form of international supervision over the Territory during the period of its association with France. Such supervision would be entirely in accordance with the spirit of the Chapter XII of the Charter. Furthermore, it will be necessary for the General Assembly to ensure that the relationship between the Territory and France and the terms of their association will be on a basis of equality, and will be clearly set out in a bi-lateral treaty, which should contain a provision for the Territory to secede from France, whenever it desires to do so. Great caution will have to be exercised in taking a decision next year, for the pattern that will emerge may serve as a precedent for other trust territories. Nothing should be done therefore which would precipitate a premature termination of trusteeship on the basis of association of trust territories with the Administering Member, and on the ground that the degree of self-government attained is the maximum in the present circumstances.

#### **U.N. Elections Commissioner**

Benjamin Cohen, Under Secretary of Chile, and Rev. Nunez of Costa Rica were the initial candidates and after they had tied at the third ballot, both withdrew. Mr. D'Orsinville of Haiti was then elected by a very substantial majority.

### **REPORT OF THE TRUSTEESHIP COUNCIL**

As usual, the report formed the subject of the general debate, at the end of which a resolution was adopted taking note of the report, and recommending that the Trusteeship Council in its future deliberations should take into account the comments and suggestions made during the session.

#### **New Guinea**

In the course of our statement we referred to the joint communique issued by Australia and the Netherlands in relation to the administration of the territories in New Guinea, and we asked for clarification as to its effect on the administration of the Trust Territory. The representative of Australia in reply stated that the

terms of the communique did not in any way restrict the obligations contracted by Australia under the Trusteeship Agreement. He added that no administrative union or common administrative service was envisaged, nor was it intended to signify that the island would necessarily constitute a single entity for political purposes. That would merely be one of the possibilities upon which the inhabitants of the island would eventually have to make their own decision. He stressed that all that the communique meant was that the two signatory governments noted that there were certain affinities between the inhabitants of the island, and undertook not to create any artificial barriers between the various parts of the island, but to act together to promote the advancement of the indigenous inhabitants. The Australian representative affirmed that the joint declaration had no military implications and contained no secret clauses.

#### **Petitioners**

The seven petitioners from the Cameroons were heard by the Fourth Committee; only one of them was from the British Cameroons, and the rest were from the French half. The man from the British Cameroons belongs to a party which favours the unification of the two trust Territories; this party has recently been banned by the British authorities. The petitioners from the French Cameroons belong to different political parties, all of which are in the opposition. Although in the Territory these petitioners are politically at loggerheads, they formed a common front in the United Nations and presented common grievances which were:—

- (1) the new statute for the Territory though it had its merits did not provide any guarantee with regard to the attainment of independence,
- (2) the division of the Territory into provinces each enjoying a large degree of self-government tended to destroy the unity of the Cameroons,
- (3) the reunification of the two Trust Territories should be facilitated by the simultaneous grant of independence to both,
- (4) the delay in the promulgation of the amnesty law continued to hamper normal political activities and caused fresh outbreaks of violence in certain parts of the Territory,
- (5) the Administering Authority should transfer its residual powers to the local authorities at an early date,

- (6) the United Nations should send a Commission of Enquiry to the Territory to investigate the entire situation.

The presence of the large number of petitioners from the French Cameroons naturally directed the limelight to conditions in that Trust Territory. However, other matters also received the attention of the Committee as will be seen from the various resolutions which were tabled.

### **Time Limits**

Firstly, an Indian resolution on time limits for the attainment of self-government or independence was adopted by a vote of 44 in favour, 15 against and 12 abstentions. The Plenary Vote was 51 : 15 : 7. India together with the other non-administering members of the Trusteeship Council, excepting USSR and Formosa, introduced draft resolution (A/C.4/L.515/Rev.2), which noted with satisfaction the recommendation of the Council that the administering members should indicate such successive intermediate targets and dates which would create the pre-conditions for the attainment of the final goal. It also noted with disappointment the failure of the administering members to estimate the periods of time required by the Territories for the attainment of the final goal, and it went on to reaffirm past resolutions on this subject. At the initiative of India, the Trusteeship Council is now working in terms of intermediate targets and dates, and the question of fixing time limits for the final goal has therefore become somewhat academic, and may not in future years secure the same degree of support as in the past. There is some merit in the argument that once development has been instituted according to a plan with intermediate targets and dates, a point will inevitably be reached when the time required for the final target can be forecast, and any premature estimation is therefore not necessary. It might be advisable in the future sessions of the General Assembly not to press the question of final time limits too far, as it might tend to assume a political character rather than a practical proposition.

### **Rural Development**

India together with Burma, Egypt, Indonesia, Iraq, Mexico, Panama, Poland and Yugoslavia introduced a resolution on the rural economic development of Trust Territories. The General Assembly had recommended in 1950 that the Trusteeship Council make a detailed study particularly of the questions concerning land utilisation, land tenure and land alienation. The Council had set up a Committee for the purpose; apart from collecting a vast amount of

factual material, the Committee had not been able to submit anything but interim reports. Part of the difficulty was due to the absence of experts on the Committee; the reluctance of the administering members to examine these questions closely was another factor. It was felt in the circumstances that the General Assembly should invite the Specialised Agencies, particularly the FAO and the ILO, to assist in this matter. Also it was thought that these questions should be dealt with separately in order to facilitate their expeditious consideration, particularly by separating land alienation questions from land utilisation problems. The United Kingdom objected to such separation but volunteered to co-operate actively if the questions were not so separated. Finally, the draft resolution as revised (A/C.4/L.517/Rev.2) was *unanimously* adopted. This resolution invites the FAO and the ILO to assist in this matter and recommends that the Council should ensure the early submission of a composite report on these questions.

#### **European Common Market**

A draft resolution on the effects of the European Common Market on Trust Territories was introduced by eighteen co-sponsors including India (A/C.4/L.519). This was opposed by the signatories to the European Common Market Treaty. However, the resolution was finally adopted by a vote of 43 in favour, 14 against and 7 abstentions. The Plenary vote was 50 : 13 : 9. The resolution simply invites the administering members to submit information on the association of Trust Territories with the European Common Market, and requests the Trusteeship Council to study the effects of this association and report on them.

#### **Aid for Somalia**

India and the United States introduced draft resolution (A/C.4/L.514/Rev.2) on the economic advancement of Somalia. The resolution noted that the Territory would require after independence external financial assistance of about 4 to 5 million dollars annually. The Trusteeship Council had suggested in its report six possibilities of meeting this need, one of which was that Italy in consultation with the Government of Somalia should explore all possible ways and report to the Council at its 22nd session. It seemed therefore a little premature to take any positive steps in this regard at the 12th session of the General Assembly, and the resolution consequently requested the Council to continue its study and to report thereon to the General Assembly at its next session. This resolution was *unanimously* adopted.

### **Scholarships**

Ceylon, Czechoslovakia, Mexico, Pakistan, Panama, Philippines, Tunisia and Yemen introduced a draft resolution (A/C.4/L.518/Rev.1) on the scholarship facilities offered by member states to the inhabitants of Trust Territories. This resolution noting that the majority of the scholarships offered remained unutilised, reaffirmed its earlier resolutions and invited the administering members to ensure that the facilities offered by other member States were utilised fully by the students from Trust Territories. The resolution was adopted by a vote of 59 in favour, 1 against (Australia), and 6 abstentions. India voted for it. The Plenary vote was 63:0:7.

### **Cameroons**

The last resolution considered by the Committee emanated from the hearings of the petitioners from the two Cameroons. Ecuador, El Salvador, Haiti, Honduras, Japan, Pakistan and Uruguay introduced draft resolution A/C.4/L.512/Rev.3 which transmitted the statements of the petitioners to the Council for further study, expressed the hope that the early promulgation of the Amnesty Law would restore normalcy in the political situation and requested the Council to instruct its next visiting Mission to take into account the observations and suggestions made during the debate. We felt that the resolution did not go far enough to meet the legitimate requests of the petitioners, and India with Afghanistan, Burma, Ceylon, Ghana, Indonesia and Nepal introduced amendments to it in A/C.4/L.516/Rev.2 which would have asked the Council to despatch its next visiting Mission at the earliest possible date in 1958 in order to examine the entire situation. It also expressed the opinion that in view of the popular sentiment in favour of independence, the constitutional measures for the further development of the Territory should not preclude the eventual attainment of independence. These amendments were unfortunately lost by a tie vote 35:35:6. Syria had also introduced some amendments in A/C.4/L.521, the most important of which expressed the opinion that the two Territories should be unified and given independence. We were able to persuade Syria to withdraw this particular amendment in favour of the compromise Guatemalan amendment in A/C.4/L.526, which invited the administering members to ensure that the constitutional measures taken would enable the two Territories to attain the ultimate objectives of Trusteeship and would also facilitate the free expression of the wishes of the people of both Territories on all alternatives concerning their future status. The virtue in this amendment was that it did not contemplate any joint action by the administering members to

unify the Territory. All it suggested was that the wishes of the people of both Territories should be consulted on all alternatives concerning their future in conformity with Article 76(b) of the Charter. The Guatemalan amendment was adopted by a vote of 37 in favour, 31 against and 8 abstentions. Unfortunately, the resolution as amended was rejected by a tie vote 23 : 23 : 30 abstentions. The Russians and the Arabs abstained. In the result no resolution was forwarded to the plenary session. However, at the plenary meeting Ecuador, Peru and Venezuela introduced draft Resolution A/L. 241, which was an attempt to salvage the Resolution that was lost by a tie vote in the Fourth Committee, and this was adopted by 57 votes in favour, none against and 17 abstentions.

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#### THE FRONTIER BETWEEN SOMALILAND AND ETHIOPIA

There is at present a provisional administrative line between the two countries, which was fixed by the United Kingdom at the end of the war and said to represent the maximum administrative convenience for the trust territory. Article I of the Trusteeship Agreement requires the boundary to be fixed by international agreement and in accordance with a procedure approved by the General Assembly. At the Fifth Session the General Assembly recommended that the boundary should be delimited by bilateral negotiations between Ethiopia and Italy as the Administering Authority. It also recommended that in order to resolve any differences arising in the course of such negotiations, the parties might agree to a procedure of mediation, and in the event of failure of mediation to a procedure of arbitration.

Since 1950 Italy and Ethiopia have been discussing the delimitation of the frontier on the basis of past treaties, particularly the Italo-Ethiopian Convention of 1908. The discussions took place in two stages, in each of which the validity of the Convention of 1908 was accepted as the basis of negotiation. Initially the discussions related exclusively to the northern sector of the frontier, from the Webi Scebeli to the point of inter-section of Latitude 8° North with 48° East Longitude. This particular sector was drawn by the Emperor Menelik on a map which was handed over to the Italians at the turn of the last century. The line was later accepted by the Italians, but unfortunately the map itself was irretrievably lost. In the circumstances, the question of redetermining that line came to depend on evidence based on various reports which have largely conflicted with each other. For example, according to the Italian



interpretation, the line would begin from the Webi Scebeli and proceed north east in a straight line up to the intersection of Latitude 8° North and Longitude 47° East, thereby pushing the boundary further into Ethiopian territory. But according to the Ethiopian interpretation, the northern sector would begin inside Somali territory at Bullo Burti and proceed north east to the point of intersection of 8° North Latitude and 48° East Longitude, thereby shifting the boundary deep into Somali territory.

As no agreement could be reached on the northern sector, the two parties agreed a year ago to discuss the southern sector, which begins at Dolo on the Kenya frontier and follows a winding course up to the Webi Scebeli. The 1908 Convention laid down the basis for the southern sector which followed the territorial boundaries of several tribes. Discussions regarding this sector however revealed many differences of interpretation not only of name places, but also tribal boundaries as they existed in 1908. For example, according to the Italian interpretation, the southern sector would follow the present provisional administrative line a certain distance and then deviate into Ethiopian territory until it reached the Webi Scebeli. But Ethiopian interpretation would take the southern line deep into Somali territory up to Baidoa and Bullo Burti. These differences are set out in the two reports submitted by Italy and Ethiopia in A/3753 and A/3754. The map attached to A/3754. Add. 1. shows the Italian and the Ethiopian interpretations of the Treaty of 1908. Whereas the Italian line cuts into Ethiopian territory, the Ethiopian line goes far into Somali territory. It is significant, however, that the present provisional administrative line falls between the Italian and Ethiopian lines, and may thus have some merit as a compromise frontier. Actually, during the bilateral negotiations Ethiopia proposed two years ago that the present provisional administrative line should be regarded as the definitive frontier, but it was unfortunately rejected at that time by the Italians.

Since then discussions have centred on the interpretation of the provisions of the 1908 Treaty and when they broke down in September last, Ethiopia proposed that the problem of interpreting this basic border instrument should be submitted to a juridical solution. Italy submitted a counterproposal that the present provisional line should be taken as a definitive frontier in the southern sector only, and with regard to the northern sector Italy reverted to its original proposal of the line proceeding from the Webi Scebeli to the point of intersection of Longitude 47° East and Latitude 8° North. This 19E.A.—8.

counterproposal was not accepted by the Ethiopian Government and the matter was then referred to the General Assembly.

Somali representatives have been participating in the bilateral negotiations during the last two years as advisers to the Italian Delegation. Their views are rather different from the Italian and Ethiopian viewpoints. The Somalis contend that the Treaty of 1908 was not concluded in the interests of the Somalis but resulted in dividing the Somali people into two or three groups. They demand therefore that the frontier should take into account the legitimate aspirations and welfare of the populations as well as the requirements of peace and security. The Somali Minister for Economic Affairs, who was present at the General Assembly discussions of this question, stressed that the Somali people wished to establish peaceful and friendly relations with Ethiopia, and that in their common interest the border should be delimited before Somaliland became independent. He explained that his Government preferred the course of mediation which was set out in the General Assembly resolution 392V, and if mediation should fail, he pointed out that any other solution should be based not solely on past treaties which were against the interests of the Somalis but should be *ex aequo et bono*, having regard to equity and the general good of the Somalis.

During the debate with the exception of the parties directly concerned, no other member was interested enough to go into the substance of the border question. The general feeling was that a suitable procedure should be devised for settling this problem. In response to several suggestions concerning mediation, Ethiopia argued that mediation was unlikely to be helpful, as the problem now was one of juridical interpretation of the Treaty of 1908, and Ethiopia had therefore proposed that the question should be referred to an arbitration tribunal. After further discussion, it became clear that arbitration would be the only method acceptable to both parties, and informal discussions began as to the basis of arbitration. Ethiopia wanted the arbitration tribunal to decide on differences of interpretation arising out of the Convention of 1908 and then to establish a frontier solely on the basis of that treaty. The Italians on the contrary wanted the basis of arbitration to be widened to include all international agreements concerning the frontier, but this was opposed by the Ethiopians on the ground that Ethiopia and Italy were parties only to the Convention of 1908, and that other international agreements such as the Anglo-Italian Agreements, the Anglo-Ethiopian Agreements, etc. concerned matters which were not strictly relevant.

United Kingdom took the initiative by drafting a resolution which would have referred the question to an arbitration tribunal on the basis of *all* international agreements concerning the frontier, and also having regard to the peace, order and welfare of the populations concerned. This approach was obviously favourable to the Somalis but was rejected out of hand by the Ethiopians. The Ethiopian point of view was reflected in draft resolution A/C.4/L.528 introduced by Ceylon, Greece, Indonesia, Liberia and Sudan which recommended that the arbitration tribunal should decide all differences of interpretation of the provisions of the 1908 Convention and then establish on a map the lines joining the points specified in that Convention. However, Ethiopian opposition made slow headway with the United Kingdom draft resolution, which was subsequently revised and finally introduced with U.S.A. as a co-sponsor in A/C.4/L.529. It recommended an arbitration tribunal to delimit the frontier in accordance with terms of reference, consistent with the Convention of 1908, to be agreed upon between Italy and Ethiopia, with the assistance of an independent person to be nominated by the President of the General Assembly. It was opposed by both parties. The Italians objected to the reference to the Convention of 1908, while the Ethiopians objected to the nomination of an independent person to assist in framing the terms of reference. In subsequent discussions between the sponsors of the two draft resolutions, India helped to find a common ground and actually proposed the final compromise Resolution, which recommends an arbitration tribunal to delimit the frontier in accordance with terms of reference to be agreed between the two Governments, with the assistance of an independent person to be appointed by agreement between them. This compromise resolution in A/C.4/L.529 Rev. 1 was unanimously adopted. The arbitration tribunal will consist of three jurists, one to be appointed by Ethiopia, one by Italy and the third by agreement between the two jurists so appointed or, failing agreement between them, by the King of Norway. At one stage the President of India was considered as a likely substitute for the King of Norway.

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#### SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1957

The Secretary-General submitted supplementary estimates for 1957 involving an increase of \$ 2,432,200 over the appropriations voted by the General Assembly during the eleventh session in an amount of \$ 50,815,700. He also estimated a \$ 750,000 increase in 1957 income

over that previously taken into account. He thus anticipated a net budget increase of \$ 1,682,200. The Advisory Committee on Administrative and Budgetary Questions in its report (A/3750 and Add. 1) recommended a net budget increase for 1957 of \$ 1,500,000, a reduction of \$ 182,200 in the figure proposed by the Secretary-General.

After a very short discussion the draft resolution prepared by the Secretary of the Committee incorporating the Advisory Committee's recommendations was put to vote which was adopted by the Committee by 51 votes to 8 with no abstentions. India voted for the resolution.

The resolution was adopted in the Plenary meeting held on 14th December by 62 votes to 9 with no abstentions.

#### BUDGET ESTIMATES FOR THE FINANCIAL YEAR 1958

The Committee had before it the draft budget of the Secretary General (A/3600) comprising a gross expenditure for 1958 of \$ 54,782,500 and miscellaneous income estimated at \$ 3,050,000 for a net total of \$ 51,732,500 and the recommendations of the Advisory Committee in its principal report (A/3624) for a gross appropriation of \$ 53,729,700 together with an estimate for miscellaneous income of \$ 3,250,000.

The general discussion in the Committee was initiated by the Secretary General and the Chairman of the Advisory Committee. The dominant theme of the general discussion in the Committee was the progressive increase in the level of appropriations. The amount proposed for 1958 was the highest budget figure in the history of the United Nations. Bearing in mind that the budget of the United Nations formed only one part of the expenditure which international co-operation entailed, the total burden falling on Member States in respect of the United Nations family of organizations had risen within a period of five years by about 26% from 82 to 104 million dollars which exclude the voluntary contributions to extra-budgetary programmes averaging for the past two years at 73 million dollars.

It was at the same time recognized that the work programmes of the organization had been enlarged, and, as regards the year 1958, the holding of two major Conferences at heavy cost was an exceptional factor of increase that lay beyond the Secretary General's control.

In the discussion much attention was given to the new form of budget presentation which the General Assembly approved during its eleventh session and most members drew particular attention to the various advantages cited by the Secretary General in his forward to the budget estimates in the revised system and endorsed his conclusions.

A copy of the statement made by the representative of India Mr. J. N. Sahni appears in Appendix II.

Appropriations voted by the Committee were as follows:

### A. UNITED NATIONS

#### PART I.—Sessions of the General Assembly, the Councils, Commissions and Committees : Special meetings and conferences.

SECTION	Amount in US dollars
1. Travel of representatives, members of Commissions and Committees . . . . .	638,800
2. Special meetings and conferences . . . . .	2,250,000
3. Board of Auditors . . . . .	53,000
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TOTAL—PART I . . . . .	2,941,800

#### PART II. Special missions and related activities

SECTION	
4. Special missions and related activities. . . . .	2,082,900
5. United Nations Field Service . . . . .	893,600
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TOTAL—PART II . . . . .	2,976,500

#### PART III. The Secretariat.

SECTION	
6. Salaries and wages . . . . .	27,685,250
7. Common staff costs . . . . .	5,830,000
8. Travel of staff . . . . .	1,422,200
9. Hospitality . . . . .	20,000
9a. Payments under annex I, paras. 2 and 3, of the Staff Regulations . . . . .	65,000
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TOTAL—PART III . . . . .	35,022,450

## PART IV. Special offices

SECTION	Amount in US dollars
10. Office of the United Nations High Commissioner for Refugees . . . . .	739,700
11. Permanent Central Opium Board and Drug Supervisory Body . . . . .	99,200
12. Joint Staff Pension Board and United Nations Staff Pension Committee . . . . .	134,600
<b>TOTAL—PART IV .</b>	<b>973,500</b>

## PART V. Common services and equipment

SECTION	
13. General expenses . . . . .	5,026,100
14. Printing, stationery and library supplies . . . . .	2,169,900
15. Permanent equipment . . . . .	507,000
<b>TOTAL—PART V .</b>	<b>7,703,000</b>

## PART VI. Technical Programmes.

SECTION	
16. Technical Assistance Administration . . . . .	386,700
17. Economic development . . . . .	479,400
18. Social activities . . . . .	925,000
18a. Human rights activities . . . . .	55,000
19. Public administration . . . . .	300,000
<b>TOTAL—PART VI .</b>	<b>2,146,100</b>

## PART VII. Special expenses.

SECTION	
20. Special expenses . . . . .	2,649,500
<b>TOTAL—PART VII</b>	<b>2,649,500</b>

## B. THE INTERNATIONAL COURT OF JUSTICE

## PART VIII. The International Court of Justice

SECTION	
21. The International Court of Justice . . . . .	650,000
<b>TOTAL—PART VIII</b>	<b>650,000</b>
<b>GRAND TOTAL</b>	<b>55,062,850</b>

## PUBLIC INFORMATION ACTIVITIES OF THE UNITED NATIONS

The Advisory Committee in its report on the Secretary-General's 1958 budget observed that the Secretary-General had not dealt with the possibility of reducing the volume of information activities in order to hold expenditure at the annual figure of \$4.5 million which the General Assembly had set as a goal to be reached in the 1959 estimates. The Advisory Committee added that further progress towards a regulation of these activities would be greatly assisted by a thorough investigation of the Organization's responsibilities in this field and of the manner in which these are implemented. In their view the investigation should seek to determine whether the available resources were exploited to the maximum possible extent to meet essential programmes, properly formulated in accordance with a valid system of priorities and that the scope of the inquiry into the Information activities should be enlarged to include not only the Information Centres but the entire range of United Nations Information Activities.

This matter was considered by the Fifth Committee in two stages, the first of which formed part of the general discussion on the 1958 estimates as a whole and at the second stage the Committee studied specific proposals for an inquiry into the working and effectiveness of the Information Services of the United Nations.

Commenting on the Advisory Committee's proposal, the Secretary-General pointed out that he had no objection to the proposed appraisal of existing information programmes and activities subject to the important provision of the Charter which expressly reserved the responsibility for the administrative and executive implementation to the Secretary-General as chief administrative officer of the United Nations.

Most delegations took the position that the form of inquiry recommended by the Advisory Committee would not derogate from the administrative authority of the Secretary-General and pointed out that it was entirely proper that apart from laying down basic principles for the guidance of the Secretary-General, the General Assembly should periodically review, with the assistance of independent experts, the working of the information programme. Two distinct and complementary procedures were suggested: first, to set up an expert committee of inquiry and subsequently, should that Committee's findings warrant such a course, to appoint an advisory group on public information. While the functions of the two bodies would differ radically, their fields of reference were, in

no way, incompatible. The Consensus of opinion in the Committee therefore was that the difference in the position taken respectively by the Secretary-General and the Advisory Committee was rather one of approach than substance.

Opinion was divided on both the size and composition of the expert committee. While certain delegations agreed with the Advisory Committee that it should be a small group not more than three persons with different cultural backgrounds, the Secretary-General, envisaging an advisory rather than a fact-finding body, was in favour of a somewhat larger membership such as would secure a balance in terms both of technical expertness and of knowledge of widely differing regional problems.

At the conclusion of the General debate the committee took up for consideration the resolution presented to the Committee (A/C.5/L.468) by thirteen countries including India. The representative of Sudan, on behalf of thirteen other countries, presented an amendment to change the composition of the Committee from five to seven and pointed out that the sponsors had sought to reconcile economy with need for adequate representation. A Membership of three or five persons would not be broad enough to achieve that purpose, while the number in excess of seven might impair the efficiency of the group. However, the sponsors of the resolution did not accept the amendment. The representative of India, speaking as sponsor of the thirteen-power draft resolution, pointed out that the setting up of the expert committee would accord with a recommendation of the 1952 Sub-Committee of the Fifth Committee to the effect that the General Assembly should consider from time to time the establishment of an *ad hoc* committee to report on the manner in which the information policy and programme of the United Nations are being implemented. His delegation attached the greatest importance to the independence of the proposed committee and to its being enabled to function within wide terms of reference. Initially the sponsors of the draft resolution had contemplated that the committee would be appointed by the General Assembly; they had however, subsequently, agreed to entrust that task to the Secretary-General in the firm belief that he would be equally competent to ensure its complete independence. The experts would function in the Committee as individuals and it was to be hoped that they would place before the Fifth Committee not only their collective findings but where necessary individual recommendations; the report should not be confined to statements of majority and minority positions.



The Committee at its 614th meeting proceeded to vote on the draft resolution and on the amendments and sub-amendments.

The Greek amendment (A/C.5/L.469) was adopted by the Committee by 51 votes to none with 19 abstentions. The Joint fourteen power amendment as sub-amended by the United States was adopted by the Committee by a roll call vote by 31 votes to 6 with 31 abstentions. The thirteen power resolution as a whole was adopted by the Committee by 66 votes to none with 1 abstention.

The Chairman of the Fifth Committee designated the following as nominating Governments in accordance with paragraph 1 of the draft resolution:

Governments of Egypt, India, USSR, UK, USA and Uruguay. The resolution was adopted in the Plenary unanimously.

## CONTROL AND LIMITATION OF DOCUMENTATION

The Committee under this item took up the problem of curtailing the volume of United Nations documentation in relation both to the total output of material and to the length of individual documents. The representative of the United Kingdom introducing their draft resolution (A/C.5/L.473) reminded the Committee that Member States had long been disturbed by continuing increases in the output of United Nations material, which, among other consequences, made it difficult for delegations to give more than cursory attention to certain of the documents prepared at high cost. He further pointed out that most of the documents could be more concise. Most of the delegations gave full support to the aims of the draft resolution in so far as the implementation of the resolution would lighten the administrative burden of Member Governments. Certain textual amendments proposed by the representative of India was accepted by the representative of United Kingdom.

The results of the voting on the draft resolution as amended by the representative of India and the Chairman of the Advisory Committee were as follows:

	<i>In favour    Against    Abstentions</i>		
First amendment by Honduras	19	23	22
Paragraph 1	65	0	2
Paragraph 2	50	5	10

	<i>In favour Against Abstentions</i>		
New Paragraph 3, proposed by Canada	38	6	19
Original paragraph 3, renum- bered 4	62	0	2
Draft resolution as a whole as amended	63	0	2

The Chairman of the Fifth Committee designated the following Member States to be represented on the committee proposed in paragraph 3 of the draft resolution: Argentina, Canada, China, France, Iraq, Mexico, Pakistan, U.K., and the U.S.S.R.

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## APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY

### **Advisory Committee on Administrative and Budgetary Questions:**

For the three vacancies in the Committee 9 candidates contested the election. The following were declared elected for a three year term from 1st January 1958:

1. Mr. T. Aghnides (Greece).
2. Mr. Eduardo Carrizosa (Colombia).
3. Mr. A. F. Sokirkin (Soviet Union).

The six other persons received a total of 12 votes.

### **Committee on Contributions:**

There were eleven candidates for four vacancies and in the secret ballot the following were declared elected for a three year term from 1st January 1958:

1. Mr. R. Charron (France) 59 votes.
2. Mr. Arthur S. Lall (India) 56 votes.
3. Mr. Jose Pareja (Peru) 56 votes.
4. Mr. G. P. Arkadev (Soviet Union) 50 votes.

The other seven candidates received only 15 votes.

### **United Nations Administrative Tribunal:**

There were two vacancies and out of the three contestants, the following two were declared elected:

1. F. A. Forteza (Uruguay).
2. Mr. B. A. S. Patren (Sweden).

The third candidate received only one vote. The membership takes effect from 1st January 1958 for a three-year term.

#### **Investment Committee:**

The Committee confirmed the reappointment by the Secretary-General of Mr. Leslie R. Rounds as a member of the Investment Committee for a three-year term from 1st January 1958.

#### **Board of Auditors:**

For the one vacancy created by the expiry of the term of the Auditor-General of Norway, there were two candidates in the field, the Auditor-General of Norway and Auditor-General of Pakistan. On instruction from the Government of India to explore the chances of our election to the vacancy, it was found, on enquiry that most of the countries had already promised their support to the candidacy of the Auditor-General of Norway. We did not therefore enter the contest. Because of lack of support, Pakistan also withdrew her candidature from the contest.

The only candidate, the Auditor-General of Norway was elected by 64 votes for a three-year term from 1st July 1958.

### **REPORT OF THE NEGOTIATING COMMITTEE FOR EXTRA-BUDGETARY FUNDS**

The Committee had before it the report of the Negotiating Committee of the Extra-budgetary Funds (A/3668 & Add. 1). The Negotiating Committee recommended that the new procedures for pledging contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and to the United Nations Refugee Fund which were introduced at the twelfth session of the General Assembly should be repeated at the thirteenth session.

The recommendation of the Negotiating Committee was adopted by the Committee by 50 votes to none with 8 abstentions.

The recommendation of the Negotiating Committee to reappoint the Committee to serve from the close of the twelfth session to the close of the thirteenth session of the General Assembly was also adopted by the Committee by a vote of 50 to none with 8 abstentions.

The Rapporteur's report on the item was adopted by the Plenary without a vote.

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## SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS

The Committee had before it the question carried over from the eleventh session of the General Assembly regarding the assessment of the States admitted to membership in the United Nations at the eleventh session of the General Assembly and the scale of assessment for Members' contributions to the United Nations for the financial year 1958. The Chairman initiating discussion in the Committee pointed out that the consideration of the questions outstanding from the 11th session was intended to provide the basis upon which the Committee on Contributions might proceed at its October session.

The representative of United States submitted a draft resolution (A/C.5/L.458) which provided that the maximum contribution of any member State to the ordinary expenses of the United Nations should not exceed 30 per cent. of the total and that the percentage contributions fixed by the Committee on Contributions for Japan, Morocco, the Sudan, and Tunisia for 1956 and 1957 and for Ghana and the Federation of Malaya for 1957 should constitute miscellaneous income of the United Nations. Introducing their draft resolution to the Committee, the representative of the United States stated that the General Assembly decided in 1946 to apportion the regular expenses of the United Nations among the Members broadly according to capacity to pay. By using the word 'broadly' the Assembly recognized that capacity to pay should not be the sole criterion in fixing the scale of assessment. Accordingly, the initial contribution of the United States was set at 39.89 per cent., a figure far below its actual capacity to pay. By that decision the Assembly established that in addition to capacity to pay, the size of the membership of the United Nations and the sovereign equality of its Members were factors of importance in determining a maximum rate of contribution.

The proposal was not favourably received in the Committee. As a consequence, the representative of the United States submitted a revised draft resolution before the Committee (A/C.5/L.463) to

which the representative of Portugal orally presented an amendment whereby the sub-paragraph c(4) would read as follows:

'The percentage contribution of Member States shall not in any case be increased as a consequence of the present resolution.'

The United States accepted the Portuguese amendment.

he voting on the resolution was as follows:

Operative paragraph a—41 to 20 with 16 abstentions (India voted against).

Operative paragraph b—58 to 2 with 15 abstentions (India voted against).

Operative paragraph c(1)—62 to 0 with 12 abstentions (India voted against).

(First Sentence).

Operative paragraph c(1)—47 to 10 with 18 abstentions (India voted against).

(2nd Sentence).

Operative paragraph c(2)—42 to 20 with 12 abstentions (India voted against).

Operative paragraph c(3)—42 to 19 with 16 abstentions (India voted against).

Operative paragraph c(4)—52 to 2 with 18 abstentions (India abstained).

The resolution as a whole—43 to 17 with 17 abstentions (India abstained).

Along with few other delegations, India also explained its vote. We stated that in keeping with our stand taken at the last session we voted against most part of the resolution when it was put the vote in parts. The Permanent Representative of India, being the chairman of the Committee on Contributions, we abstained on the resolution as a whole. The resolution was adopted in the Plenary by 39 votes to 16 with 13 abstentions.

The Chairman of the Committee on Contributions presented the report of the Committee before the Fifth Committee. The new members of the United Nations pleaded that the recommendations with regard to their contributions on the year of admission should be further reduced bearing in mind the actual period for which these delegations had utilized the benefits from the available services of the United Nations. India supported the position taken

by the new members and the resolution containing these proposals was adopted unanimously. The resolution was also adopted in the plenary unanimously.

### UNITED NATIONS JOINT STAFF PENSION FUND

The Committee had before it the report of the United Nations Joint Staff Pension Fund (A/3611) and a report of the Advisory Committee on Administrative and Budgetary Questions. (A/3749). The Joint Staff Pension Board had recommended some amendment to the regulations to improve benefits payable by approximately 10%, changing the rate of regular interest from  $2\frac{1}{2}$  per cent. to 3 per cent. per annum, altering the calculation used to determine benefits and increasing certain disabilities and widow's benefits.

In its report the Advisory Committee had recommended deferral of the decision in respect of retirement, disability and death benefits so that they could be considered as part of a general review of the whole question of pensionable remuneration during the thirteenth session.

During brief discussion in the Committee, the majority of the members supported, in general, the recommendations proposed by the Joint Staff Pension Board on the basis of the actuarial valuation.

The Committee voted on the amendments to the Regulations of the United Nations Joint Staff Pension Fund recommended by the Joint Staff Pension Board in Annex. II of their report (A/3611). The result of the vote was as follows:

Article I (Definitions)	adopted unanimously.
Article II (Participation)	adopted unanimously.
Art. IV (Retirement benefits)	43 to 12 with 5 abstentions.
Art. V (Disability benefits)	51 to 3 with 3 abstentions.
Art. VII (Death benefits)	57 to 2 with 1 abstention.
Art. XXIX (Adoption of basic tables)	59 to 0 with 0 abstention.

New Supplementary Article (Admission to the Fund of the International Atomic Energy Agency) was adopted unanimously.

India voted in favour of all the amendments and the New Supplementary Article.

The Board's proposal that 1st January 1958 be considered the effective date of the above amendment was approved without objection.

The Committee also unanimously decided (a) to recommend that the General Assembly take note of the annual report of the United Nations Joint Staff Pension Board (A/3611) and (b) to recommend that the General Assembly take note of the report of the United Nations Staff Pension Board on the Fourth actuarial valuation of the Fund (A/3642) and of the observations thereon of the Advisory Committee on the Administrative and Budgetary questions. The Rapporteur's report on the item to the Plenary was adopted without a vote.

#### AUDIT REPORT RELATING TO EXPENDITURE BY SPECIALIZED AGENCIES OF TECHNICAL ASSISTANCE FUNDS ALLOCATED FROM THE SPECIAL ACCOUNT.

The Committee had before it the report by the Secretary-General (A/3599) as well as a report of the Advisory Committee on Administrative and Budgetary Questions (A/3710) on the audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account.

The Committee adopted a resolution by 64 votes to none with 1 abstention taking note of the audit report relating to the expenditure by specialized agencies of technical assistance funds allocated from the special account for the financial year ended 31st December 1956 and of the observations thereon of the Advisory Committee.

The report was adopted without a vote in the Plenary.

#### REVIEW OF AUDIT PROCEDURES OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES

The Committee had before it reports of the Secretary-General (A/3584) and of the Advisory Committee on Administrative and Budgetary Questions (A/3615). Both the Secretary-General and the

Advisory Committee had agreed, in the light of existing facts set out in their reports that unless circumstances should necessitate a different course, the United Nations should continue to maintain the system of external audit which had been applied with success since 1946.

The Committee decided without objection, to recommend to the General Assembly that the present system of external audit should be maintained.

The report was adopted in the Plenary without a vote.

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#### ADMINISTRATIVE AND BUDGETARY CO-ORDINATION BETWEEN THE UNITED NATIONS AND THE SPECIALIZED AGENCIES.

The Advisory Committee on Administrative and Budgetary Questions presented to the Fifth Committee a report (A/3767) on the Administrative Budgets of eight specialized agencies whose agreements provide for transmittal of their budgets for review by the General Assembly. In their report the Advisory Committee had pointed out that the 1958 budget of these specialized agencies showed an increase of \$3,677,118 or 8.09 per cent. over the 1957 appropriations. The Advisory Committee also submitted three special reports (A/3596, A/3597, A/3598) on WHO, WMO and FAO with particular reference to the utilization of funds of the Expanded Programme of Technical Assistance within an integrated programme of activities.

The Committee unanimously adopted a resolution taking note of the report of the Advisory Committee and invited the attention of the Specialized Agencies to the comments and observations made by the Advisory Committee.

The Report was adopted by the Plenary without a vote.

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#### FINANCIAL REPORTS AND ACCOUNTS AND REPORTS OF THE BOARD OF AUDITORS

(a) United Nations for the financial year ended 31st December 1956.

The Committee recommended to the General Assembly the acceptance of report of the Board of Auditors along with the



observations of the Advisory Committee on Administrative and Budgetary Questions contained in their report (A/3707). The report was adopted by the Committee by 49 votes to none with 6 abstentions. The report was adopted by the Plenary without a vote.

(b) United Nations Children's Fund for the year ending 31st December 1956 (A/3591, A/3709).

The Committee unanimously recommended to the General Assembly the acceptance of the report and the certificate of the Board of Auditors and took note of the observations of the Advisory Committee of the Administrative and Budgetary Questions. The report of the Fifth Committee was adopted by the Plenary without any vote.

(c) United Nations Korean Reconstruction Agency for the year ending 30th June 1957 (A/3696, A/3715).

The Committee recommended to the General Assembly to accept the accounts of the Agency and the certificate of the Board of the Auditors taking note of the observations of the Advisory Committee by 53 votes to none with 10 abstentions. The General Assembly adopted the Fifth Committee recommendation by 53 votes to 1 with 11 abstentions.

(d) United Nations Refugee Fund for the year ending 31st December 1956.

The Committee recommended to the General Assembly to accept the accounts and the certificate of the Board of Auditors by 56 votes to none with 9 abstentions. The General Assembly endorsed the recommendation of the Fifth Committee by 63 votes to none with 9 abstentions.

#### OFFER BY THE GOVERNMENT OF CHILE OF LAND IN SANTIAGO TO BE USED AS OFFICE SITE FOR THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS.

The National Congress of Chile on 28th February 1957 had enacted a law empowering the President of Chile to transfer title to a property situated in the city of Santiago free of charge to the

United Nations. The property was intended as site for a building to house the offices, conferences, services of the United Nations and its specialized agencies in Chile.

Eighteen Latin American Countries presented a joint draft resolution on the subject authorising the Secretary-General to open with the members of the Economic Commission for Latin America such negotiations as may be necessary with regard to the financing of the United Nations building at Santiago, and the Secretary-General was requested to present to the General Assembly at the thirteenth session detailed plans for the construction of the building together with final financial arrangements. The delegation of France proposed an amendment which would require the Secretary-General to submit his proposal to the Advisory Committee on Administrative and Budgetary Questions for their comments which was accepted by the sponsors of the resolution. The resolution as amended was adopted by the Committee by 53 votes to none with 7 abstentions.

#### PERSONNEL QUESTIONS

##### **(a) Salary, allowance and benefits system—outstanding questions from the eleventh session**

The Committee had before it reports of the Secretary-General (A/3656) and of the Advisory Committee on Administrative and Budgetary Questions (A/3681) on matters which had been carried forward for further consideration from the eleventh session. A dental plan was also presented separately by the Secretary-General (A/C.5/719) together with comments of the Advisory Committee (A/3723).

In respect of Extension of the General Service Category the Committee without objection, recommended that the Secretary-General should proceed with the study recommended by the Advisory Committee and submit a report thereon to the General Assembly in due course with the understanding that the Secretary-General would re-examine the original recommendations of the Salary Review Committee.

On the question of additional salary increments for long service the decision of the Committee was as follows:

- (a) That two 'longivity' increments, at two-year intervals, should be added to the Second Officer level (P-3) by 58 votes to none, with 3 abstentions;
- (b) That no 'longivity' increment should be paid to a staff member until he had remained in the level for at least five years by 60 votes to none with 2 abstentions; and
- (c) That to be eligible for a 'longivity' increment, a staff member must qualify for promotion to the next higher level in the event of a suitable vacancy by 57 votes to none with 5 abstentions.

As regards the question of definition of dependency the Committee adopted the Advisory Committee's recommendation indicated below by 51 votes to none with 9 abstentions:

"Subject to review in the light of a full year's working experience, the Fifth Committee approves the tentative definition of a dependency as set out in the report of the Secretary-General (A/3656) and requested the Secretary-General to introduce these definitions at an early date."

In respect of Dental Costs Insurance, the Committee accepted the Advisory Committee's recommendation of the United Nation's participation in the Group Health Insurance Plan on an experimental basis by 58 votes to none with one abstention. The Committee also adopted the Advisory Committee's recommendation by 45 votes to 1 with 10 abstentions that the proportion of the premium to be borne by the Organization should be one-third.

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#### QUESTION OF GEOGRAPHICAL DISTRIBUTION OF THE STAFF OF THE U.N. SECRETARIAT

The Committee had before it the report of the Secretary-General (A/C.5/718/Rev.1) in accordance with paragraph 2 of the General Assembly resolution 1097(XI).

In the general discussion it was maintained by a number of delegations that the problem was essentially of a practical nature as to how to develop a detailed plan of action calculated to achieve an equitable balance between the Member States. In this connection, the delegates noted that at the levels of Principal Officer and above, in which the largest measure of responsibility and influence

was concentrated, 101 appointments made in the twelve months, ending in August 1957, were distributed among only twenty-eight member states three of which held one-half of the total number of posts. There was general dissatisfaction in the Committee that too little had been done to fulfil the purpose of General Assembly Resolution 1097(XI) which sought to correct a serious lack of balance in the distribution of the staff by nationality. The representative of the Secretary-General however pointed out the difficulty of fulfilling within a short period the purposes of the General Assembly resolution 1097(XI) including the fact that, since at the end of 1955, twenty new members had been admitted to the United Nations.

At the conclusion of the general discussion the representative of Ceylon presented a draft resolution before the Committee (A/C.5/L.483). Presenting his draft the representative of Ceylon pointed out that enough progress had not been made in implementing the resolution 1097(XI); one of the reasons being that the terms were not sufficiently precise. The intention of his draft was, the representative of Ceylon pointed out, to furnish the necessary precision. The representative of the United States presented an amendment to the draft suggesting the deletion in the operative paragraph (a) sub-paragraphs (i), (ii) and (iii).

The result of the voting on the draft resolution and the amendments was as follows:

	<i>For Against Abstentions</i>		
(a) Addition of a fourth preambular para.	58	0	1
(b) Deletion of sub-para. of para. (a)			
Sub-para. (i)	28	20	7
Sub-para. (ii)	30	18	10
Sub-para. (iii)	40	15	4
(c) Draft resolution as a whole	43	0	15

#### **Question of the proposition of fixed term staff**

The Committee took note of the Secretary-General's report and invited him to report again in a year's time on the further progress made.

## UNITED NATIONS INTERNATIONAL SCHOOL

In accordance with a request of the eleventh Session of the General Assembly, the Secretary-General of the United Nations submitted a report (A/3688) on the subject. The United Nations International School, the Secretary-General pointed out, was currently limited to inadequate accommodation. The Board of Trustees of the school submitted to the Secretary-General to the effect that the logical and desirable place for the school would be on the Headquarters site in New York City. The Secretary-General agreed with the views of the Board of Trustees and pointed out that the provision of truly adequate accommodation for the school would be in the best interest of the organization.

The Committee had before it a joint draft resolution sponsored by Brazil, France, India and Poland which would have the General Assembly decide that in principle permanent premises for the United Nations International School should be constructed either on the Headquarters site or in its immediate vicinity. At the initiative of the United States the Committee agreed to an amendment which requested the Secretary-General to consult with appropriate authorities on the possibility of constructing permanent premises for the school. The resolution as whole as amended was adopted by the Committee by 55 votes in favour, none against with 5 abstentions. The resolution was adopted by the Plenary with a vote.

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## REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS NINTH SESSION

1. The General Assembly included this item in its agenda at its 682nd meeting, and referred it to the Sixth Committee.

2. The Sixth Committee considered it from its 509th to 513th, and 529th meetings.

3. At the 509th meeting held on 27th September, the Chairman of the International Law Commission, Prof. Jaroslav Zourek, was invited to formally present the Commission's Report (A/3623).

4. In chapter II of its report, the International Law Commission submitted, with commentary, a draft of 37 articles on the question of diplomatic intercourse and immunities. The report stated that

the draft was a provisional one and had been transmitted to Governments for comments and that a final draft would be prepared at the Commission's next session in the light of these comments. For that reason most of the representatives who took the floor were of the opinion that the draft was not, strictly speaking, before the General Assembly for consideration; accordingly they made only a few general comments, reserving their right to submit more detailed observations when the final text was submitted to the Assembly. Some representatives, however, also expressed their views on some specific articles.

5. It was stated in the Commission's report that the draft dealt only with permanent diplomatic missions but that the Commission had requested its special rapporteur to make a study of "*ad hoc* diplomacy", which would cover roving envoys, diplomatic conferences and special missions, and to submit his report at its next session. During the debate in the Sixth Committee, some representatives were of the opinion that in such circumstances it would perhaps be desirable to await the completion of final reports on both permanent and *ad hoc* missions so that the whole subject of diplomatic immunities would be dealt with at the same time, possibly at the fourteenth session of the General Assembly. On the other hand, some feared that such a procedure would entail unnecessary delay.

6. India's representative, Shri G. S. Pathak, in his speech at the 510th meeting held on 30 September, congratulated the Law Commission for its diligent research in codifying the draft articles on diplomatic intercourse and immunities. But he added that since it was only a provisional draft, the Indian delegation would reserve its views until after the draft articles were revised in the light of comments received from governments.

7. The Committee had before it a draft resolution submitted by *Brazil, Chile, Cuba, Peru, the Philippines and Spain* (A/C.6/L.400) whereby the General Assembly, having considered the report of the International Law Commission on the work of its ninth session, would: (1) note the report of the Commission; and (2) request the Secretary-General to forward to the Commission the summary records of the discussions of the Sixth Committee on the Commission's report.

8. An amendment was submitted by Ceylon (A/C.6/L.405) to insert in the operative part a new paragraph as paragraph 2 whereby the General Assembly would express its appreciation of the work done by the International Law Commission.

9. The sponsors of the draft resolution accepted that amendment.
  10. At its 547th meeting, on 5th December 1957, the Sixth Committee adopted unanimously the draft resolution as amended.
  11. The Plenary considered the item at its 727th meeting on 11. December, and adopted without vote the resolution recommended by the Sixth Committee.
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### QUESTION OF DEFINING AGGRESSION

1. The question of Defining Aggression was included in its Agenda by the 12th Session of the General Assembly at its 682nd Plenary meeting on 20 September, 1957. It was referred to the Sixth Committee for consideration.

2. The Sixth Committee discussed this item at its 514th—528th and 530—538th meetings. It had before it the Report of the 1956 Special Committee on the Question of Defining Aggression (A/3574). The Report did not present any specific recommendation, but was a compilation of the various draft definitions presented before the Committee by its members.

3. The general discussion on this subject revealed a wide divergence of views amongst the various countries. While a number of delegations favoured a definition of aggression at this session, many others felt that it should be postponed.

4. Speaking for India, Shri G. S. Pathak emphasised at the 520th meeting that the time was not yet propitious for a definition of aggression. Any hasty attempt to define it would not promote world peace but only accentuate existing tensions. Moreover, he pointed out, science had outstripped law, and existing international law could not settle any of the problems created by the possible use of nuclear weapons. A definition of aggression would have to foresee what acts of aggression might be committed in the future. He urged that further consideration of the question be deferred.

5. Pakistan's delegate, speaking at the 522nd meeting, referred to economic aggression and made an implicit reference to the Canal Water Dispute with India.

6. A provisional reply to this reference was made by Shri Fakhrudin Ahmed at the 523rd meeting. Later, at the 530th meeting, Shri G. S. Pathak said that the reference by Pakistan was hypothetical. But if it, in any way, alluded to India, then the insinuation was

firmly rejected. On the question of canal waters, Shri Pathak reminded the Committee that India on her part had accepted the recommendations made by the World Bank.

7. Two draft resolutions containing a definition of aggression were presented to the Committee. One (A/C.6/L.399) was introduced by the U.S.S.R., and the other (A/C.6/L.401) by Iran and Panama. An oral amendment to each of these two draft resolutions was proposed by Afghanistan (A/C.6/SR.520) which would add to the list of acts of aggression contained therein the closure of historical trade routes of a land-locked country or the creation of difficulty in the way of free and normal trade and commerce.

8. Two draft resolutions relating to procedure were also submitted:

(a) By the *United States of America* (A/C.6/L.402) whereby the General Assembly would decide to postpone indefinitely further consideration of the question of defining aggression. This draft resolution was later withdrawn.

(b) By *Chile, Columbia, Cuba, Ecuador, El Salvador, the Philippines and Venezuela* (A/C.6/L.403 and Corr.1). Under the terms of that draft resolution, the Assembly would: (1) take note of the report of the Special Committee on the Question of Defining Aggression and express appreciation for the valuable work done; (2) ask the Secretary-General to request the views of the new States Members on the question and renew the request to States Members which have not done so to submit comments as provided in resolution 688(VII), furnishing them with the documentation produced after the adoption of that resolution; (3) ask the Secretary-General to report to the Assembly at its fourteenth session on the replies received; and (4) place the question on the provisional agenda of the fourteenth session.

9. An amendment to the seven-Power draft resolution (A/C.6/L.403 and Corr.1) was submitted by *Afghanistan, Bolivia, Guatemala, Haiti, Mexico and Peru* (A/C.6/L.404) to replace operative paragraphs 2 and 3 by provisions whereby the Assembly would: (1) re-establish the Special Committee on the Question of Defining Aggression and increase its membership; and (2) request the Special Committee to convene in 1959 and to submit its report to the Assembly at its fourteenth session.

10. A sub-amendment to the above-mentioned amendment (A/C.6/L.404) was submitted by *Ceylon, Egypt and Indonesia*



(A/C.6/L.406): to insert in paragraph 3 the phrase "to give priority in its work to the elaboration of the notion of armed Aggression" after the words "in 1959".

11. An amendment to the seven-Power draft resolution (A/C.6/L.403 and Corr.1) was also submitted by the *United States* (A/C.6/L.407): (1) to delete the words "which have not done so" from operative paragraph 2; (2) to replace paragraphs 3 and 4 by the following:

"3. To ask the Secretary-General to refer the replies of the Members to a Committee composed of the Member States the representatives of which have served on the General Committee of the most recent regular session of the General Assembly, which committee shall study the replies for the purpose of determining when it shall be appropriate for the General Assembly to consider again the question of defining aggression and shall report to the Secretary-General when it has determined that the time is appropriate, setting forth the considerations which led to its decision;

"4. To request the Secretary-General to place the question of defining aggression on the provisional agenda of the General Assembly, not earlier than its fourteenth session, when the committee has advised him that it considers the time appropriate;

"5. To request the Secretary-General to convene the first meeting of the committee prior to the fourteenth session of the General Assembly."

12. Another amendment to the seven-Power draft resolution (A/C.6/L.403 and Corr.1) was submitted by *Egypt* (A/C.6/L.409):

(1) To replace the third and fourth paragraphs of the preamble by the following:

*"Having considered the report of the 1956 Special Committee on the Question of Defining Aggression;"*

(2) To replace operative paragraphs 2, 3 and 4 by the following:

"2. To postpone further consideration of the question of defining aggression during the present session of the General Assembly;

"3. To place the question on the provisional agenda of the fourteenth session of the General Assembly."

*Poland* later joined *Egypt* as a co-sponsor of this amendment.

13. Shri Fakhruddin Ahmed expressed the Indian view on the various draft resolutions at the Committee's 535th meeting. He said that while India did not favour a definition of aggression at that time, she could not agree to an indefinite postponement of the question. He pointed out, in particular, that the procedure suggested in the U.S. proposal (A/C.6/L.407) was open to grave doubt, and it might set an unfortunate and a dangerous precedent. India, he said, could not be a party to such a procedure. He promised support for any draft resolution which would only bring back this question for consideration at a later date. He also suggested a verbal amendment to A/C.6/L.403, to replace in the second paragraph of the preamble the words "other aspects of the definition of aggression" by the words "other aspects of a definition of aggression." This was accepted by the sponsors of the draft.

14. The sponsors of the 7-Power draft accepted the amendments of the United States (A/C.6/L.407) and presented the revised draft A/C.6/L.403/Rev.1.

15. Ceylon (also on behalf of Egypt and Indonesia) moved an oral amendment to this revised draft, to insert another preambular paragraph on the need for an elaboration of the notion of armed aggression, similar to their earlier sub-amendment.

16. At its 537th meeting, the Committee decided to vote first on the revised draft resolution of *Chile, Colombia, Cuba, Ecuador, El Salvador, the Philippines and Venezuela* (A/C.6/L.403/Rev.1) and the amendments thereto. The results of the vote were as follows:

*Operative paragraph 1 of the draft resolution* was adopted by 61 votes (including India) to none, with 9 abstentions.

*Paragraph 2 of the amendment submitted by Afghanistan, Bolivia, Guatemala, Haiti, Mexico, and Peru* (A/C.6/L.404) was rejected by a roll-call vote of 34 to 28, with 11 abstentions. India abstained.

In view of this result, paragraph 3 of the amendment and the sub-amendment submitted by *Ceylon, Egypt and Indonesia* (A/C.6/L.406) were not voted upon.

*Paragraph 2 of the amendment submitted by Egypt and Poland* (A/C.6/L.409) was rejected by a roll-call vote of 35 to 28, with 10 abstentions. India voted for the amendment.

Paragraph 1 of the amendment, as well as the Ceylon oral amendment, were not voted upon.

*Operative paragraphs 2 to 5 of the draft resolution (A/C.6/L.403/Rev.1) were adopted by 41 votes to 23, with 9 abstentions (including India).*

*The second preambular paragraph of the draft resolution was adopted by 54 votes to none, with 16 abstentions.*

*The preamble as whole was adopted by 43 votes to none, with 27 abstentions.*

The draft resolution as a whole was adopted by a roll-call vote of 41 to 21, with 11 abstentions. India abstained.

17. As the procedural draft resolution had been adopted, the draft resolutions relating to the substance of the question (A/C.6/L.399 and A/C.6/L.401) were not put to the vote.

18. The plenary considered the Rapporteur's Report (A/3576) at its 724th meeting. Ceylon, Egypt, Guatemala, Indonesia, Mexico, Poland and Syria introduced amendments to the resolution recommended by the Sixth Committee (A/L.237 and Add.1). In effect this amendment sought to nullify the resolution passed by the 6th Committee, and simply asked the Secretary-General to seek the comments of new member States and to place the item on the provisional agenda of the 14th Session of the General Assembly.

19. This amendment was put to the vote paragraph by paragraph, and was rejected. The plenary then adopted the resolution recommended by the 6th Committee, by a roll-call vote of 42 to 24, with 15 (including India) abstentions.

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## DRAFT CODE OF OFFENCES AGAINST THE PEACE AND SECURITY OF MANKIND

1. This item was included in its agenda by the General Assembly at its 682nd meeting held on 20 September 1957, and was referred to the Sixth Committee.

2. The Sixth Committee considered the item at its 544th to 546th meetings held between 2 and 4 December 1957. It had before it a note by the Secretary-General (A/3650) giving a historical background of the question since the adoption by the Assembly of resolution 177(II) on 21 November 1947. It had also before it a draft code of offences formulated by the International Law Commission at its sixth session, and contained in paragraph 54 of its report (A/2693).

3. But at the outset the Committee agreed not to discuss the draft code in detail, and limit the discussions to procedural questions and general remarks.

4. A majority of delegations who expressed themselves on this item, emphasized the close connection of this question with that of a definition of aggression. Since the latter item had earlier been postponed by the General Assembly by its resolution 1181(XII) of 29 November 1957, it was felt that this item should also be postponed.

5. The Indian delegation did not make any statement on this question, although it let it be known through private talks that the Government of India also favoured a postponement of this question.

6. A draft resolution was submitted by the *Philippines* (A/C.6/L.418) whereby the General Assembly, considering that the draft code of Offences against the Peace and Security of Mankind raised problems related to that of the definition of aggression, and considering its resolution 1181(XII) concerning the definition of aggression, would decide to defer the question of the draft code until such time as the General Assembly should take up again the question of defining aggression.

7. *Colombia* and *Spain* submitted amendments (A/C.6/L.419): (1) to insert after the first paragraph of the preamble the words "recalling General Assembly resolution 897(IX)"; and (2) to add the following operative paragraph:

"(2) *Requests* the Secretary-General of the United Nations to transmit the text of the Draft Code of Offences against the Peace and Security of Mankind to all Member States for comment and to submit their replies to the General Assembly at such time as the item may be placed on its provisional agenda."

8. They accepted an oral sub-amendment, moved by *Poland*, to replace the phrase "to all Member States" by the phrase "to Member States".

9. *Philippines* accepted the amendments moved by *Colombia* and *Spain*.

10. The Committee adopted this amended draft resolution at its 546th meeting by a vote of 58 in favour, 1 against (*Netherlands*), and 1 abstention (*Mexico*). India voted for the draft resolution.

11. The Plenary considered the Committee's Report (A/3770) and adopted this resolution at its 727th meeting on 11 December by a vote of 74 to 1, and 3 abstentions.

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## INTERNATIONAL CRIMINAL JURISDICTION

1. This item was included in the agenda of the 12th Session at the 682nd Plenary meeting on 20 September 1957, and was referred to the Sixth Committee.

2. The Committee considered the item at its 546th and 547th meetings on 4 and 5 December 1957. It had before it a note by the Secretary-General (A/3649) giving a historical background of the question since the adoption by the General Assembly on 9 December 1948 of resolution 260A(III).

3. Most of the delegations which expressed themselves on this item were of the opinion that this question was dependent on the question of defining aggression and the draft code of offences against the peace and security of mankind. The Indian delegation did not make any statement but made it known privately that the Government of India agreed with this view.

4. Philippines, together with Chile and Spain, introduced a draft resolution (A/C.6/L.420) whereby the General Assembly would decide to defer this question "until such time as the General Assembly takes up again the question of defining aggression and the question of a draft code of offences against the peace and security of mankind".

5. An oral amendment to add a new preambular paragraph was moved by Egypt. It would have the General Assembly take into consideration its resolution 1181(XII) concerning the question of defining aggression also, in addition to resolution 898(IX) as provided in the first preambular paragraph. This amendment was accepted by the sponsors.

6. The Sixth Committee adopted this draft resolution by a vote of 54 to 2 (Netherlands and Haiti), with 2 abstentions. India voted for the draft.

7. The Plenary considered and adopted the Rapporteur's report (A/3771) on 11th December at its 727th meeting. The vote was 74 in favour, 2 against and 4 abstentions.

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## ELECTIONS TO THE PRINCIPAL ORGANS

### *Election of three non-permanent members of the Security Council:*

The General Assembly elected on 1 October 1957, Panama, Canada and Japan to fill the vacancies on the Security Council resulting from the expiration on 31 December 1957, of the terms of office of Australia, Cuba and Philippines. All three were elected on the first ballot.

The composition of the Security Council beginning 1 January 1958 as a result of these elections is as follows:

Permanent Members: China, France, U.S.S.R., U.K., and U.S.A.

Non-Permanent Members: Canada, Columbia, Iraq, Japan, Panama, and Sweden.

### *Election of six members of the Economic and Social Council:*

Chile, Costa Rica, the Sudan, the Netherlands, France and China were elected on the first ballot to fill the six vacancies on the Economic and Social Council, caused by the expiration of the terms of office of Argentina, China, the Dominican Republic, Egypt, France and the Netherlands. The election was held by the General Assembly on 1 October 1957.

As a result of these elections, the composition of the ECOSOC beginning 1 January 1958 is as follows: Brazil, Canada, Chile, China, Costa Rica, Finland, France, Greece, Indonesia, Mexico, the Netherlands, Pakistan, Poland, the Sudan, U.K., U.S.S.R., U.S.A. and Yugoslavia.

### *Election of five members of the International Court of Justice:*

Abdel Hamid Badawi (Egypt), V. K. Wellington Koo (China) (Formosa), Sir Percy Spender (Australia), and Bohdan Winiarski (Poland) were elected on the first ballot on 1 October 1957, to fill vacancies in the International Court of Justice, receiving an absolute majority in both the Assembly and the Security Council, as required by the Statute of the International Court of Justice. After three inconclusive ballots, Jean Spiropoulos (Greece) was elected on the fifth ballot to fill the remaining vacancy.

## APPENDIX I

### MEMBERS OF THE INDIAN DELEGATION TO THE TWELFTH SESSION OF THE GENERAL ASSEMBLY

#### Representatives :

1. Shri V. K. Krishna Menon, Minister of Defence (Chairman of the Delegation).
2. Shri Ali Yavar Jung, Ambassador of India, Cairo.
3. Shri G. S. Pathak, Advocate, Supreme Court of India.
4. Shri Arthur S. Lall, Permanent Representative of India to the United Nations, New York.
5. Reverend J. D'Souza, S. J.

#### Alternate Representatives :

1. Shri Fakhruddin Ahmed, M.L.A., Assam.
2. Shri M. Gopala Menon, Consul-General of India, New York.
3. Shri J. N. Sahni, President, Indian Federation of the United Nations' Associations in India, New Delhi.
4. Shrim thi Mona Hensman.

#### Secretary-General of the Delegation :

Shri T. J. Natarajan,  
Counsellor, Permanent Mission of India to the United Nations, New York.

#### Advisers :

1. Shrimathi Tarkeshwari Sinha, M.P.
2. Shri R. A. Narayanan, Advocate, Madras.
3. Shri Avtar Singh, Deputy Secretary, Ministry of External Affairs, New Delhi.
4. Colonel S. C. Vyas, Military Adviser, Permanent Mission of India to the United Nations, New York.
5. Shri R. Jaipal, First Secretary, Permanent Mission of India to the United Nations, New York.
6. Shri P. N. Kaul, First Secretary, Permanent Mission of India to the United Nations, New York.
7. Shri A. K. Mitra, First Secretary, Permanent Mission of India to the United Nations, New York.
8. Shri R. Bhandari, Under Secretary, Ministry of External Affairs, New Delhi.
9. Shri M. E. Chacko, First Secretary, Permanent Mission of India to the United Nations, New York.

#### Public Relations Officers :

1. Shri V. R. Bhatt, Public Relations Officer, Permanent Mission of India to the United Nations, New York.

2. Shri K. N. S. Sarma, Press Attache, Permanent Mission of India to the United Nations, New York.

### MEMBERSHIP OF COMMITTEES

#### FIRST COMMITTEE :

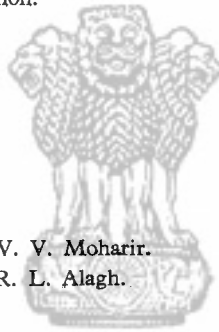
Shri V. K. Krishna Menon.  
Shri Ali Yavar Jung.  
Shri Arthur S. Lall.  
Shri T. J. Natarajan.  
Shri Avtar Singh.  
Col. S. C. Vyas.  
Shri R. Bhandari.  
Shri M. E. Chacko.

*Assistants :* Shri V. V. Moharir.  
Shri S. N. Gupta.

#### SPECIAL POLITICAL COMMITTEE :

Shri V. K. Krishna Menon.  
Shri Ali Yavar Jung.  
Shri G. S. Pathak.  
Shri Arthur S. Lall.  
Shri T. J. Natarajan.  
Shri Avtar Singh.  
Shri A. K. Mitra.  
Shri M. E. Chacko.

*Assistants :* Shri V. V. Moharir.  
Shri R. L. Alagh.



#### SECOND COMMITTEE :

Shri Ali Yavar Jung.  
Shri M. Gopala Menon.  
Shri J. N. Sahni.  
Shri T. J. Natarajan.  
Shrimathi Tarkeshwari Sinha.

*Assistant :* Shri M. N. Sivaraman.

#### THIRD COMMITTEE :

Rev. J. D'Souza, S. J.  
Shrimathi Mona Hensman.  
Shri J. N. Sahni.  
Shri T. J. Natarajan.  
Shri P. N. Kaul.

*Assistant :* Shri G. Bhagat.

#### FOURTH COMMITTEE :

Shri V. K. Krishna Menon.  
Shri Arthur S. Lall.  
Shri Fakhruddin Ahmed.



*Assistants :* Shri B. K. Sarkar.  
Shrimathi Freni Widmer.

Shri V. K. Krishna Menon.  
Shri Arthur S. Lall.  
Shri J. N. Sahn.  
Shri T. J. Natarajan.  
Shri R. A. Narayanan.  
Shri Avtar Singh.  
Col. S. C. Vyas.

**SIXTH COMMITTEE :**

**Assistant :** Shri S. N. Gupta.

## APPENDIX II

### TEXT OF SHRI V. K. KRISHNA MENON'S SPEECH IN THE GENERAL DEBATE ON 8TH OCTOBER, 1957

**Mr. Krishna Menon (India) :** A few days ago, my delegation had the honour and privilege of offering its felicitations to Sir Leslie Munro on his election to the high office of President of the General Assembly and to Mr. Hammarskjöld for having accepted the onerous duties of Secretary-General of the United Nations for a period of another five years. Repetition is not always welcome, but I think this is a good thing that will bear repetition. Therefore I wish, now, to repeat those felicitations.

I should also like to take this opportunity of expressing our appreciation of the President of the last session, Prince Wan Waithayakon of Thailand, under whose presidency we had very difficult issues to deal with in this Assembly over a long period. His patience and his courtesy were to a very considerable extent responsible for our overcoming certain procedural and debating difficulties at that stage, even apart from his good offices for reconciliation.

This is also the proper opportunity for my delegation to express a word of appreciation to those large numbers of people whose names are not printed in the books of delegations or who do not come in for public approval, namely, the large staff of the Secretary-General, at all levels, who make our life and our work here possible and whose research, diligence and thoroughness of organization contributes so much to the success of this Assembly.

During the last three weeks, sixty-nine speakers, representing the legitimate Governments of their countries and duly accredited by them, have spoken from this platform I am the seventieth. This large number of delegations which have considered it necessary and proper, and indeed essential, to participate in this general debate is in the view of my delegation a great tribute to the trust and esteem in which the United Nations is held in all our countries.

This general debate, while cynics may speak of it as a long run of speeches, has a significance which should not be overlooked. This is perhaps the occasion when representatives are somewhat disanchored from the necessity of voting according to political alignments, but are free to express themselves. There are delegations like mine who sometimes think that if the votes were all like the speeches, the Assembly would be rather different. But at any rate, there is this idea that we all come here with different points of view, we tolerate each other, we try to understand each other.

While sometimes the language used may not be all that would have been correct in the Victorian age, we still conduct our procedures in this Assembly in such a way that the views of different delegations, and the approach that is made by nations and by large regional continental areas of the world, make their impact upon our common desires. We are not a world parliament nor are we a world government of any kind. Any decision that is made here is by way of recommendation, which goes back to our sovereign Governments, to our parliaments, or otherwise. But the impact of public opinion and the speakers who represent here the millions of people all over the world—with significant omissions though, to which I shall refer later—have a tremendous influence upon the progress of humanity as a whole.

My country is one of those which shares very much the view the Secretary-General expresses in the introduction to his annual report [A/3594/Add. 1], that the United Nations should neither be romantically regarded as a panacea, as the centre for resolving every dispute, or as having the answers to every problem, nor should it be regarded as an institution that has failed to perform its functions. Each year the United Nations blossoms out in a different way. Opportunities for different ways of solution come about. We are particularly happy to note that the Secretary-General refers to the functions of the United Nations as a realm of open diplomacy. I wish the time would come when the Secretary-General could make the physical conveniences and facilities of this place more conducive to conference and not merely to speaking and counter-speaking.

My delegation appears on this rostrum today in the context of twelve years of United Nations existence and, so far as our country is concerned, ten years as an independent nation. We are an old country but a new nation. Against that background, one approaches the United Nations not as from a vacuum but in terms of the successes and the failures

of its predecessors, going back to the Middle Ages and, more recently, to the failure of the League of Nations. The United Nations was founded, while war was raging, by those who could see further than the events of that time in order that peace might reign in this world and that this comity of nations might not be a holy alliance of good nations and of bad nations, but a universal society where the differences between sovereign countries, with their different historical backgrounds and civilizations, might be expressed in such a way that their diversities would make them a common richness.

Some of those expectations, as must be the case in all new organizations, especially those based partly on idealism and partly on the imperative necessity of survival, have suffered some setbacks. But still, our position is one which, while we may not be complacent, gives us hope and certainly calls for greater endeavour.

In the last two years, the area of freedom has widened in the world and so has the membership of the United Nations. We have here now eighty-two countries of the world, and while either representation or membership is significant in certain omissions, we still represent a very considerable part of the world and, what is more, a great many of us are conscious of our omissions. The United Nations, if its purposes had to be recited in simple terms—which may not always be accurate—is the Organization for world peace and co-operation. The very words of the Charter open with the exhortation to rid the world of the scourge of war so that this planet may not be again plunged into confusion, as has been the case twice in this century. It also uses in the beginning, the words “We the peoples of the United Nations”.

While it is true that the Credentials Committee must examine our credentials, and while there may be differences between the economic and political composition of our various States and in our procedures, the fact does remain that today, irrespective of the forms of government all over the world, the people are the significant and ultimate factor in decision. It is the view of my delegation that, while there is an increasing realization of the impact of world public opinion on all our Governments and on us collectively, there is not enough profit. One of the main distinctions between the predecessor of the United Nations and the United Nations itself is that the countries of the world do not regard the United Nations as just an organization outside themselves, to whom some specialists are sent in order to sit in session, after which they can forget about it.

As the Secretary-General well knows, and as I said the other day [690th meeting], when he came to our country and wandered in a village where he was not supposed to be going, he was asked all about the United Nations, including his salary. There is so much desire on the part of the people to know about it, and there is great expectation, and this great expectation is one that we, who represent Governments either singly or collectively, may not ignore, because ultimately it is the voice of the peoples of the world that must decide. Whether we call them by one name or another, so far as our forms of governments are concerned, there never can be any authority established anywhere in the world which ultimately would not yield to the impact of the people.

It will be my task, in so far as I have time, to refer back to the achievements of the United Nations. I take the liberty, but I make no apology at this time, of referring to the ten years of our own life as an independent nation. This is not to blot out the period of history that has gone before us, whether it be from the time of 1919 when we became an original member of the League of Nations, or the 7,000 years that preceded that date. But these ten years are the only period that we as a people have known as a democratic, independent national State; and if we refer to this, it is not because this rostrum should be used for the propaganda of national Governments, but in order that attention may be drawn to the vast experiments, or projects, that have taken place in the amelioration of the conditions of people in under-developed areas and the bridging of the gap resulting from the recession, or rather stagnation of development, existing during the period of imperial rule.

Therefore what happens in countries like ours, not India alone, is of world significance, because we have come today to a state of affairs where it is not possible to have prosperity in one place and misery somewhere else. Just as we say that war somewhere would become war everywhere, similarly, epidemics, famines and lower standards of life, bad conditions of labour and social unrest, are as infectious as the rest of the epidemics in the world.

When we became an independent country, without being addicted to any ideology, we took over in our own minds the political and the economic consequences of independence. There is so much said in these halls about colonial rule, national independence, the sovereignty of nations, the much abused words “self-determination of peoples”

and so on. But none of these has any meaning to the masses of the people of any country unless they are translated into terms of political facilities to express themselves, autonomy—*swaraj*, as we could call it in our country—satisfaction of hunger, provision of shelter, proper sanitation and organization of leisure. These are the social minima that must obtain in our civilized age.

We in our country took the plunge six or seven years ago when we not only accepted but proclaimed and embodied in our Constitution and political life the idea that the independence of our country must be the independence of all the peoples. What the West then regarded as an experiment is now part of our national life.

A few months ago, 121 million people registered their opinion as to who should constitute the Parliament of India. On our electoral rolls today are 193,429,004 people. That number is larger than the population of the United States. I am quite prepared to admit that one Indian may be far inferior to one American. But just as we are larger in quantity, our electorate is larger than the population of any country that is represented here.

We take legitimate pride in the fact that this democratic exercise has proceeded peacefully. Whether our political parties be of one type or another, whether they be Liberal, Constitutional, Congress, Communist, Socialist or all the other things there are—and we have fourteen parties in opposition to the Government, and what opposition!—not one of them has complained about the stifling of opinion or the rigging of elections. It is quite true that a great number of my colleagues have had their elections challenged by petitions, which is part of the constitutional process, and so long as there are clever lawyers in many countries there will be long procedures in this direction.

So for the second time in the last ten years millions and millions of people—men and women—without distinction of class, creed or colour, have gone to the polls and elected the government of the day in peaceful circumstances without having to call in the troops or the police or anything of that kind and, what is more, with the issues being fully explained. I know the issues had to be explained. I myself had to campaign for election for only a short period of time because the United Nations takes a great deal of one's time.

It is not possible in a country like ours to get away by saying, "I am a good man": You have to say why you are, and the people decide for themselves. This is a political aspect of our country. If it were confined to our national Parliament, where the representatives sit far away in our central metropolis in New Delhi, that in itself would not be a great advance in democracy. For the first time since the death of the village republics some 2,000 or 1,500 years ago, our country has gone back again to the conception of village democracy. So whether it be on the executive or the judicial side or even in respect to financial powers, today 2,00,000 villages in India are covered by our community project schemes, where six years ago there were only fifty. By 1960, all India, with 600,000 villages, will give an example regarding the majority of the ordinary people who live on the fruits of the soil—they are mainly engaged in agriculture. These areas today are organized not so much by government officials as, to a very large extent, by voluntary organizations. Even the expenditure funds of up to 65 per cent come from the people themselves.

I refer to this because, as the Secretary-General well knows, the United Nations has taken an interest in this project and is trying to discover how much it would suit other countries similarly placed, and not in an identical set of circumstances. We are always willing to offer such assistance and to derive such information and inspiration as we can from other people.

In a few years time, therefore, democracy will not be confined to our parliaments or our State legislatures. It will not be confined to those whose names figure in the headlines of newspapers, but will go down to every village in India where men and women even today are in tens of thousands of organizations which are fully democratic, where they express their views and, what is more, govern the area. We have some village communities in our part of India where the whole of the village assembly is composed of women. It may not be a good thing, but there it is.

We come now to our economic planning. We realize that no form of independence has any meaning unless it can bring to the populations freedom from starvation, from hunger or the threat of hunger, and such conditions as are required for a reasonable way of life. Of course, these conditions change. The better they become, the better people want them. There are some outstanding differences between countries like ours and those Western countries, including the United States, which have accomplished vast industrial

achievements. We started with a political revolution and our industrial revolution follows. In Western communities, the industrial revolution came in and the people who became part of the industrial development demanded more political power. Therefore we have less time. We have more people who make calls upon us—that is, on the country.

The satisfaction of the aspirations of the people in terms of what they need cannot be put off on grounds of dearth of foreign exchange or this or that. Populations are impatient, and rightly so. Impatience is one of the concomitants of democracy. A democracy that is not impatient will soon cease to be and deteriorate into a very rigid society.

Therefore, having had this political revolution beforehand—whether in the village, the State, the municipality, the parliament, the chambers of commerce or the trade unions—everyone was making demands on the resources of the country, and it was essential that attention should be paid to economic planning. In 1950, we started in a very modest way. It was certainly modest when you compare it to the astronomical figures that you hear in the United States. The total outlay for our economic projects in the first five years came to \$5,325 million. Of course, we did not pay it out in dollars, but this is the calculation. Of that sum, I am happy to think that we spent 23 per cent—over \$1,200 million—on social services.

But it is not enough to spend money whether we have it or not. We must also look at the results. The results are not as good as we would like them to be. But the national income of India increased by 17.5 per cent during that period and the *per capita* income increased by 10.5 per cent.

Our main problem has always been the problem of food. We are a very densely populated country. We are not like Australia, a whole continent inhabited by 10 million people. The average density of our population, taking the mountains and the seas and the rivers and everything else into account, is about 350 per square mile. There are 376 million people in 1,200,000 square miles of our territory. What is more, we are beset by the problem of refugees flowing from a neighbouring country into ours.

Food is our most important problem because, if we do not have it, then it must be imported. And for some strange reason, foreign food is always paid for in dollars, and dollars are a rare commodity. But so far, we are short of food grains. However, we have made progress to the extent of increasing their production by about 20 per cent in the last six years. So if our people work hard enough and if nature is kind, which it is not, the condition will greatly improve.

Not a year passes in our country, however, without either a flood or an earthquake or a cyclone or a drought of some kind. There is too much water in one place and too little in another. There are friends of ours, like the Foreign Minister of Australia, who says that we ought to learn soon to break the clouds and pour the water out. But I do not know what one part of India would think if we burst the clouds there and the other part did not have it. That is to be seen. At any rate, these natural calamities visit us year after year. This year, for example, in Kashmir, 747,000 people saw their villages go under water as the result of sudden flood.

Food production, however, has gone up, but people are eating more. Are we to say that they should not eat more? There have been produced 11 million tons of food. Similarly, our industrial production has gone up in a meagre way by about 22 per cent or so, and the production of capital goods has increased by 70 per cent. Consumer goods, which should be kept down for various reasons, have also gone up by one third.

India today produces—and most people regard this as a very strange surprise—a large quantity of electric power, but it is not as much as we require. In five years the quantity of electric power has doubled. We have brought under cultivation, owing to the scarcity of food, 16 million additional acres of land, which is watered by the rivers that normally flow into the sea. That is why we sometimes feel very sad that on this particular problem political considerations should come in and that we should have difficulties.

I am relating these points not in order to be complacent or to take the time of the meeting with what are, after all, national projects and national achievements. However, we consider that these are of very great importance in the area, particularly in South-East Asia and in other parts of Western Asia.

At the same time, social services have been developed. Owing to the existence of democratic institutions, a great deal of our social services, while they do not compare to social security measures either in Western Europe, in the United States or in other parts of the world, are largely met by voluntary contributions, with the Government, which represents the community, providing the initiative and the inspiration in many cases.

This is the balance sheet as it was at the beginning of last year. Then we went into what is called the second five-year plan. These plans do not mean that individuals are not allowed to develop private enterprise in India. In fact, we could not hope to achieve progress unless the development of every section of the population could take place. During the next five-year plan, our objective is to increase our national income, to expand industrialization, to increase employment opportunities and to reduce inequalities. For all this, our people must bear heavy burdens.

India today is the most heavily taxed country in the world. If you earn money, you pay income taxes ; if you spend money, you pay expenditure taxes ; if you save money you pay taxes on wealth ; if you leave money, you pay a State duty on inheritance. By the time everything is over, the people realize that the burdens on them are very great, but they have to carry these burdens in order that the future may be better than the present.

I do not want to go into any great detail about this, except to point out that this is a positive side. But we are also beset with problems, problems to which the Secretary General makes reference in the economic section of his annual report [A/3594]. So far as the highly advanced industrial countries are concerned, adverse balances of trade do not affect them so much. But if the under-developed countries are really to get out of the rut of colonialism, then it is necessary that they should not be merely the producers of the raw materials supplied to the advanced industrial countries, taking in return what they can ill afford—the capital goods and the consumer goods of those countries. That is our big problem. We are faced today with an expanding economy ; and our difficulties arise from our having to find the resources, particularly in the way of exports to the highly developed countries, for a higher standard of life, for which we have to pay by the produce that comes out of agriculture.

Until we are able to correct this balance, we shall not get out of the relationship of economic imperialism ; that is to say, until our countries are able to balance their economies to a considerable extent, we cannot hope to make much progress.

In the advancement which we have made, there has also been the feature of international co-operation. While we have friendly relations with every country in the world it is true that we are in the unhappy position in which our relations with our nearest neighbour could be better. But we would not say that so far as we are concerned either the desire or the anxiety to make them better is lacking. With every country in the world we have friendly relations, economic and political, and, more particularly, countries like the United States, the Soviet Union, New Zealand, Canada, Australia, Japan and Norway have come to our aid in various forms, whether through the United Nations or through bilateral agreements. A large amount of assistance, both in kind and in money, has come into India.

It would be a mistake to think that the economic development of our country, or of any country, should not depend mainly upon the efforts of its own people. In such a case it would have no real foundations and it would wither away. Therefore, when we speak in this Assembly about assistance to under-developed countries, it must be on the basis of the economy of those countries and it must not be tied in with political relations. What is more, aid that goes to a country which does not make its own efforts, will not, in the long run, produce fruitful results.

I should like to take this opportunity, in case I do not get any other, of offering our thanks and expressing our gratitude to all the countries which I have mentioned, large and small. Even a country like the President's, which I hope he will not mind my saying is a small one, has come to the assistance of India in a measure much larger than its resources would indicate and in a much larger proportion than other countries. We are immensely grateful for that.

Our greatest problem however, is the problem of time. Unless we are able to make progress in the given time, the conflict between social aspirations and social satisfactions will become an even bigger problem, and this is a situation which a democracy has to face. We are determined to carry out our political and economic development on the basis of the

sovereignty of our people. We intend to cultivate and maintain relations with all peoples, adhering firmly to the idea that friendship with one does not exclude friendship with another, in fact, it only extends the area of friendship.

With regard to foreign relations, more particularly with our neighbours, Burma, Ceylon, Indonesia, Australia, New Zealand—I hope I have not omitted any—are not only good but have become closer each day. Australia to us becomes more and more a part of the Australasian continent. This has many significant aspects ; it may be a contributory and a remedial factor in the racial conflicts which exist in the world. In many senses countries like ours are partly western and partly eastern by historic and economic circumstances, and we hope that in this way it will contribute in some measure to the purposes of the United Nations.

We have two problems in our area. One is part of an unfinished job, namely, the complete liquidation of colonialism in our country. Thanks to the wisdom of the British and French statesmen, two of the Western Powers which had been in occupation of our country have either fully or mostly relinquished the whole of that. We believe that, with the patience which we have shown in this matter, the completion of our negotiations with France, which have been based upon mutual respect and understanding, will soon come about in every respect. But there is still a part of our country under colonial rule under the Portuguese empire. But here as elsewhere, as in the whole of India, if we decided to have our liberation from one of the most powerful empires of modern times, that of Great Britain, by peaceful methods, we shall continue to do that in other places also. But until the whole of our motherland is free from foreign occupation, we could not regard our independence as complete.

We have not brought these matters before the United Nations because it is not our purpose to load the agenda with more subjects and merely to bring here problems which might perhaps be resolved in other ways. We have little doubt that the peoples who are interested in these territories will assert their freedom in the same way as we have done.

With our nearest neighbour we try as hard as we can to build up closer economic, political and cultural relations. There are large numbers of people flowing into India from our dear neighbouring country. Some come for a holiday, and they do not return, so that this leaves us a problem of refugees in which, I would point out, our country has had no assistance from anybody else. Since independence, 500,000 people, very nearly, have come into West Bengal, and the Government of India has been responsible for expenditures of up to \$630 million in housing and in the provision of relief for the vast numbers of refugees that have flowed into India. West Bengal is such a crowded part of the world, and into our populations come those who are pushed out for various reasons, so that this refugee problem is really of international concern. It would be a very wrong thing to say that one country must have the land and that the other must have the people.

This continuing exodus from the other side does not make for friendly relations but strains our economy, and, what is more, we do not see the end of it. As I have said, it has cost us \$630 million in the last six years, and for a country like ours, where the *per capita* income is 225 rupees a year—between \$50 and \$60—that is a vast amount of money to spend. In Calcutta one can see any day human beings who have been driven out of their homelands and cut from their roots and their moorings, with nowhere to go and nowhere to look. And while we are an independent and free Government, and while we do the best we can, there are limits to our capacity and to our resources. Having regard to the vast burdens that already rest on the international community in connexion with refugees from different parts of the world, we have not yet invoked aid, but the time will come when this will become a very vast international problem.

At the same time, we are happy to think that the area of freedom is growing in the world, and only the other day we had the opportunity of welcoming a sister State of ours from the Commonwealth to the United Nations as an independent nation. I would be failing in my duty if I did not express—as, indeed, it is a privilege and a pleasure to do—our gratification and sense of pride at the fact that in all those areas which were the colonial empires of Britain there has been a rapid advance towards independence since we became independent. We used to say in those days that Britain really wanted freedom from its empire, and we started the march to freedom. Today in Malaya, as the result of wisdom and patience on both sides, there has been a reconciliation.

Whatever may be the difficulties of the future or of different communities, there has been an adjustment of monarchy to a republic and a quick march forward to the assumption of power. We hope that the remaining vestiges of empire in Asia will disappear,

whether it be in India far off in the Pacific or in that vast continent of Africa where millions of people still live in conditions that are inhuman and where forced labour is the order of the day. It is a disgrace to all of us that human beings in any part of the world should live in those conditions, and they should come to an end.

We look to the time when the wisdom of France will resolve the problems that are attendant on some of its vast possessions in Africa, and there are many signs that French public opinion reacts favourably in these matters.

In this connexion, it is my duty to state on behalf of my Government that, irrespective of the irritations we may create and irrespective of the fact that some may argue that the presence of such a large number of ex-colonial countries upsets the balance of this Assembly, we shall for ever, like our friends from Ghana, stand four-square and solidly by the side of those peoples who have been left on the road in the march towards independence. That is a duty we shall not forswear at any time. But that does not mean that we shall ever try to interfere with other Governments or have recourse to methods which were not our own in securing our own liberation.

There have come before us two or three great colonial problems—that of Algeria, that of Cyprus and that of West Irian. Since we shall have the occasion to do so in the First Committee, this is not the time to deal with those problems in detail, but I should like to say a few words here and now with regard to the one which is the most crucial in that it is attended by violence and a great deal of loss of life and slaughter all round, namely, the problem of Algeria.

We have great sympathy for the difficulties of France in this matter, derived largely from historical circumstances, but great nations must rise above difficulties and no difficulties can be pleaded in bar of human freedom. The Government of India stands firmly upon the conception that every person in the territory of Algeria—whatever the colour of his skin, whatever his racial stock and whatever his religion—is an Algerian, and that therefore there cannot be an independence that excludes those vast numbers of Frenchmen who have made Algeria their home.

Nationalism is territorial, and—if I may be pardoned and if I am not regarded as taking any liberties—I would like to say particularly to the Western countries that the force of nationalism today is, perhaps, the strongest force in the world, with the exception in many countries of religion. It would be a great mistake to ignore the power of nationalism because it is not directed into the channels of constructive endeavour. Where the peoples who hunger to be free are soon liberated and are faced with the grave economic problems of their own countries, so that they are pre-occupied with them, then we would have unrest in the world. We would promote racial quarrels; we would promote divisions, even among friends, as happens in the case of Greece and the United Kingdom just now.

This era of colonialism no more belongs to us than does the palaeolithic age; it belongs to an age that has passed behind. This is not to argue against the beneficence, the wisdom and the hard labour put in by administrators in the past. It is not to minimize the difficulties of metropolitan countries. But none of those difficulties can stand in the way of the natural aspirations of the peoples not to be foreigners in their own countries. We have lived through this, and we not only understand it but feel it every time.

We believe that the extension of these areas of freedom is an asset to the community. Who would say that the new countries, fifteen or twenty of them, that have joined this United Nations, with their millions of people who but a generation ago were under bondage, are not an asset to the international community? Every time we disenfranchise a people, every time we make a people non-functional, we are depriving the world community of what they could contribute. It is quite true that they bring problems, but they bring their contributions also.

So, under the President's wise guidance, I hope that this Assembly—without rancour but with a sense of the practical, an appreciation of the fundamental rights of peoples and, what is more, an admission and recognition of the territorial character of nationalist movements—will realize that countries are not problems to their peoples. Countries are their homelands; they are the places where they are born and where their bodies are buried or burned when they die. Unless we look at this question in this way we shall not make much progress. Our own country, within the ways that are open to it, makes its own contribution.

In this connexion, reference has been made by one or two delegations to a fact which I might as well mention here. It concerns the existence of groups within the United Nations. I believe that it was the Secretary-General who said that it was not the United



Nations that had created the renaissance of Asia. The United Nations simply reflects the renaissance of Asia. The United Nations did not perform a creative act in bringing about the independence of those countries. Only those countries that have become independent are here. I entirely agree with the representative of France in thinking that "groupism" is a very bad thing in community life, whether in a country or in the world as a whole. It would develop the disease which the Greeks used to call stasis—in this case a rancorous, prejudicial form of war. We on our side have no desire to cut this Assembly into groups.

I hope that the representative of France, with the logical mind of his people, will carry this further and not form military groups in the world. After all, if groups are bad for the United Nations, groups are equally bad for the world, and if we want a free and united world and a world of peoples it is better that we do not divide it into compartments by narrow domestic walls, where it is the impediment of the flow of knowledge and information, and of the contact of man with man or mind with mind, that creates the impediments to traffic between nations.

I suppose the reference here is largely to the groups of countries that have been here. For years, ever since the Organization was formed, there have been meetings of groups. They are not blocs in any sense; their policies are different, their military alignments are different, they do not all vote together; but when it comes to a question of an attack on the national liberty of a country they, in common with other countries like the United States or the Soviet Union, which do not belong to these groups, as was seen last year, band together. It is true that it is a good thing for countries which are near to each other or like-minded or have similar backgrounds or histories to be able to get together, and it may contribute to those factors to which the Secretary-General refers in his report of the United Nations as a scene of diplomacy or of mutual understanding as between nations.

Our Government and our country will never be a party to creating continental regionalisms. In this connexion, I will particularly say to the President, who comes from that part of the world, that at the Bandung Conference one of the main insistences was that, while it represented a resurgence of Asia and Africa, we should not subscribe in any form to a continental regionalism. Therefore, with great respect, I should like to agree with the representatives of the Netherlands and of France who referred to these groups and who are as one with us in recognizing their good functioning and being against the bad in it. I take the liberty of asking both of them—nations that are characterized by their sense of logic—to pursue this a little further and to say that this groupism is a bad thing whether it be in our national parliaments—where you do not get any stable government if there are too many groups, as some countries know to their cost—or whether it is applied to the whole world, so this Assembly does not become a gathering of good nations and bad nations; it does not become a collection of one Holy Alliance against another Holy Alliance, but makes something of the Charter where it becomes a centre for harmonizing interests.

In this twelfth year of the United Nations, while there are still many unfinished tasks, we may congratulate ourselves on the resolving of, or at least on the developments that have taken place in regard to the problem we discuss arising from the invasion of Egypt last year. We are happy to think that the Government of Egypt, of its own free will, has made itself a party to international commitments whereby it reiterates and fully accepts the Constantinople Convention of 1888 and, what is more, subjects itself, in so far as the Convention is concerned, to the authority of the International Court of Justice to which it is not a party, not having signed the optional clause. I believe that one of the historic documents of the year is what is called the unilateral declaration by the Government of Egypt where, with great ingenuity, it has created a situation where it has made itself part of an international commitment and introduced the sanctity and authority of the United Nations in the enforcement of laws.

I am also happy to feel and my Government is happy to feel that, while some problems, like paying for the various expenses incurred in connexion with the Suez Canal, the maintenance of the United Nations Emergency Force, the settling of various accounts with regard to the nationalization or other incidents arising from the events that took place last year, still remain, progress is being made in this direction without in any way trespassing upon the free will of Egypt or of the other countries concerned.

It is our view that there is an enormous desire on the part of the peoples concerned to let the past be buried and to proceed in an era of co-operation. It is not our experience that there is a nursing of grievances in these lands but that there is a stretching forward to the new. It is not because we poorer peoples are any more high-minded or idealistic; our interests lead that way. We could not live in the nursing of past grievances; neither

individuals nor countries can look in two directions at the same time. Either you look forward and march on or you look backward and nurse your glories and grievances, and this leads to a deterioration. Thus we are happy to think that in all these matters, both financial and other, some progress is being made.

The great Powers, the United States, the Soviet Union, France, the United Kingdom and others would do well to recognize quite fully the changes that are taking place, taking into account the national aspirations of peoples and, what is more, the pride of peoples in doing things themselves—the Egyptians are very proud of running the Suez Canal and at no time has it been mechanically run as well as it is now, carrying heavier traffic than at any time before. Once more I should like to pay my tribute to the Egyptian Government for the great patience and wisdom it has shown in not saying, "The Canal is ours; you can pay and go", but making a free, open-handed declaration to the peoples of the world which, by the announcements of its international instrument and by registration with the United Nations, under the procedures of the Court, has created a bond which is very different, so far as we are concerned, from what was expressed by the representative of New Zealand [683rd meeting]. We think it is a good settlement which will lead to further settlements. I am convinced that, given good will, the co-operation between the users of the Canal and the Suez Canal Authority will grow. I feel sure that the income from the Canal will largely go into the development of the Canal, because not only the countries that use it, but also Egypt, through whose land the Canal flows and whose water belong to it, need it more than anything else.

Our main concern in this twelfth year of our existence in the United Nations is with regard to those problems to which the Secretary-General has again referred in the section of his report dealing with economic and social questions, that is, the problem of the development of the under-developed countries. This is not a question of providing charity for those who are helpless, but a common-sense question of establishing a world equilibrium. You cannot have a political equilibrium if there is not economic equilibrium. There has been a considerable amount of aid from other countries to under-developed countries. After all, this is a new idea. It is only since the Second World War that countries have come forward and given out of their hard-earned wealth, having to fight their national legislatures and to convince them—and after all, no one pays income taxes cheerfully, I am told; I do not pay any, they collect it before I get any money. So much of this aid has flowed into these places and the various countries concerned in this matter are to be congratulated.

In this connexion, I should like to congratulate the President's country—and in fact all the countries of the United Nations, bar one or two which I hope will soon join the rest—which has been engaged in promoting the Special United Nations Fund for Economic Development. We have had discussions about this year after year, and we are in the happy position that the Economic and Social Council has recommended the inauguration of this Fund.<sup>1</sup>

We hope that the United States with its characteristic generosity and foresight will come forward and speed up this process and be able to appreciate the fact more fully that multilateral aid of this kind does not displace bilateral aid, any more than our membership of the United Nations in any way vitiates our ties, shall we say, with the Commonwealth or our friendly relations with the Soviet Union, the United States, Nepal or whatever country it may be. We hope that in the years before us this development of co-operative enterprises between nations, where nations both large and small, rich and poor, will contribute to each other's development, will receive the implementation of the General Assembly and that a beginning will be made.

We are also glad to notice in the introduction to the Secretary-General's annual report a reference to an international administrative service. I think no greater contribution could be made than by drawing from various nations the talents of their people to the services of the countries which want them. We are one of those countries where, in a haphazard way or by bilateral arrangements, large numbers of people in our area come in, expert professional people of various kinds. But the time has come, it appears to me, for the Secretary-General's idea to afford permanent recruitment facilities of this character where people will be hallmarked as being fit for this purpose. While they would still be nationals of their countries, they may serve others in the interests of humanity. That will take place and side by side with it the more international character of our Organization and its servants will also emerge.

Having said this, it would be wrong for us to sit back and think that everything is going well and that there are no problems. When we met last time, we were faced with two of the biggest problems that we had ever had, and the Assembly was very much preoccupied by them.

<sup>1</sup> Official Records of the Economic and Social Council, Twenty-fourth Session, Supplement No. 1, resolution 662B (XXIV).

In the course of the speeches before the Assembly, reference has been made to the problems of the Middle East. In this connexion, I should like to say that my country carries a heavy responsibility, both financial and otherwise, in affording on the armistice line the kind of facilities and services which the United Nations called upon it to provide.

We are, as I said, a new nation with a very small armed force entirely conditioned and conceived for the defence of our frontiers, without any apparatus for operations abroad. But, as a result of the call of the United Nations and also because we knew that it would be a contribution towards bringing about peace, a battalion of the Indian Army stands guard on this armistice line in order to prevent any skirmishes and to further the cause of peace. While it is a great sacrifice for the countries concerned, particularly countries like ourselves and the small Scandinavian countries whose resources are not commensurate with the tasks they have to perform. I feel that we are doing something which is very much in furtherance of the Charter.

We do not subscribe to the view that this Emergency Force should be regarded as a pilot project or an embryonic international force of the future. That is a problem by itself, and some development can come about, should come about and will come about when the great Powers have resolved their problems among themselves. This Force was conceived and improvised for a specific purpose. It is not working according to the plan of the Charter, it is not responsible to the Security Council—it is very difficult to find out to whom it is responsible—but at any rate the troops are there, they stopped the fighting. I hope the Secretary-General will not ask me to send more troops ; we do not have any.

The Emergency Force has not merely kept the peace in that part of the world, but its members have performed a very great international operation in bringing about friendship between the peoples where they are and themselves. We have not had one single incident of an anti-social character in regard to our troops in the Gaza area.

It has been said that the Middle East is a problem with possibilities of tumult, of catastrophe and of conflict. I have no desire to venture into this problem because much talking about it does not get it very far. But, committed as we are in many ways, it is necessary for us to express our position so that neither the United Nations nor our Arab friends will have any misunderstanding of our position. We do not regard the Middle East as a problem. It is composed of the countries and of the peoples that inhabit them. We do not believe in countries being backward in various ways. That is to look at it from the point of view of another country. What the Middle East requires is economic development and comparative peace.

If the nations of the world would agree not to strew their arms everywhere, especially without the recipients having to pay for them, then I think we should have greater peace in the world.

It is our conviction that Syria, for instance, has no intention whatsoever of becoming involved in the "cold war". The Syrians, like ourselves, are a people who want to be left free to build their own lives ; we hope that, if they are allowed to do so, they will make a greater contribution to the extension of peace areas in the world, where countries are not committed beforehand and are not standing as seconds in a duel. Our position with regard to these areas is that their sovereignty should be respected and that there should be no interference by other people. A degree of neighbourliness should be shown, so that if they require defence materials for their own defences they, as national sovereign countries, may make their own choice ; but we hope that none of them will so starve their peoples as to load themselves with arms while the population suffers. But, of course, it is an internal matter.

Therefore our position is : respect for the sovereignty of these countries, non-interference in their affairs, a degree of reciprocity in their relationship, and, what is more, recognition that a small country is as conscious of its dignity and of its position and independence as the mightiest country in the world. In fact, smaller countries are even more conscious of their positions than powerful countries which can afford to forget them.

Then we have the outstanding problem which, though we come from Asia, is as much our problem as anyone else's, because it is a world problem—that of Germany. The Government of India hopes that peaceful and diplomatic solutions will enable the world to close the chapter of the war and enable the German people to take their place in this Assembly.

Those solutions have to be peaceful and they have to be democratic. We have to give up the idea of victor and vanquished in this matter. What is more, any solution of that kind should carry with itself the removal of any fears that may be entertained by either side, in view of the last seventy years of German history. If it were possible for those people who are most concerned, namely, the German people, if it were possible for the countries of the Soviet Union which have diplomatic representation in both East and West Germany to make contributions to their unity, if it were possible for the United States with its great idealism and great economic power to realize, even more than it has done that the present continuance of the state of war—because there is no peace—is preventing that great country with its vast industrial potential, a country which now has trade relation with almost every country in the world, including China, that would be a move in the right direction.

In our opinion, it is a great mistake to be wedded to doctrines that have been recited so often instead of seeking the path of peaceful and democratic solutions. No solution is possible where opinions strongly held, either by majorities or by minorities, can be totally ignored. In other words, solutions have to be agreed solutions and not imposed ones.

This takes us to the other big problem that confronts us, and that is the projection of the "cold war" apparatus in our areas. We have always recognized the right of any sovereign country to do what it likes with its riches, with its arms, or whatever it is, but equally we claim the right to express our opinions about them. We cannot say: "this should not be done; it cannot be done". We can only say what its consequences are. The distribution of arms all over the world without the recipients having to pay for them is one of the main causes of friction in the world.

In the old days, in the inter-war years particularly, people who were in public affairs used to refer to those dealing in the arms traffic in the world as "merchants of death". At least, in those days, countries that wanted arms had to pay for them. But now a days, with political alignments of various kinds, these military alignments stand in the way of the United Nations. This should be the great pact of nations. As a result of the events of last year, thanks to the initiative taken by the United States, which we all joined, we proved to the world that aggression cannot pay and will not work. What is more, it proved negatively that no pacts of any kind have any value.

With respect to the Middle East, it would be unrealistic for us not to recognize the force of Arab nationalism. Therefore, while we have no desire to make any further protests about these pact areas—we are a people who believe that the extension of the peace areas in the world of nations which are comparatively backward, whose arms are not adequate even for their own defence, simply bringing them into a scheme where they, in the long run, will become hewers of wood and drawers of water, and their territory would be theatres of war—we believe that is not the way to promote peace. We are not at the present moment saying anything about the alliances between military countries. But the drawing in of vast areas where economic progress should take place unhindered by this business—and what is more, where economic aid, as I shall point out in a short time, is tied to other things—is not at all a helpful factor.

I have made reference to the assistance given by various countries in regard to the financing of economic development. In this connexion I would refer to a document which has just come into my hands on this subject [E/3047]. In this document there is no reference to any particular country. All the countries are given, whether it be the United States, the Soviet Union, Belgium or Norway. But it is interesting to notice, for example, table XXVII contained in this document, in which the aggregate amounts of money, in kind or otherwise, that have gone into the various countries, are listed.

What do we find? India has a population of 376 million, and the total amount of aid that went into India during the three years of 1954, 1955 and 1956 was \$245 million. That works out at 70 cents per head of the population. As compared with that, the aggregate amount of loans that went into Pakistan, shall we say, was \$309 million, making \$3.9 per head of the population. Or we can take a country like Jordan, here the assistance given amounted to \$80 per head of the population, or South Korea, where the amount was \$31 per head of the population.

I do not grudge these peoples this money; all I am saying is that, when we tie up economic questions with political considerations, we get that kind of distorted result. On the other hand, it is a good thing for countries that the amount of foreign aid they receive, while it must be adequate for getting them over certain humps, should not be such as to take away from them their sense of self-reliance.

I should like to draw the attention of the General Assembly to this document because it contains an enormous amount of information about the way that assistance is given to under-developed areas, and it contains all the facts and figures. It was prepared by the Economic and Social Council as a result of the request made last year by the General Assembly.

The other outstanding problems are the problems of the Far East. My country, together with Canada and Poland, is engaged in Indo-China. This, again, is not a task we sought, but we found ourselves there. In 1954, thanks largely to the initiative of the United Kingdom Prime Minister of that time, large-scale war was averted in that area, and on 11 August, 1954 for the first time since the invasion of China by Japan twenty-five years earlier, the guns were silenced. Since then, attempts have been made to try to settle the problem. A representative of India is chairman of the Commission that deals with the matter. The best we can say about it is that no further conflicts are taking place, I believe that, given good will on all sides and the recognition that these countries must be allowed to live under their own conditions of sovereignty, it is possible to obtain solutions.

Over there in the last eighteen months our people have been trained diplomatically and otherwise in order to carry out their tasks. While this is not directly and organizationally a United Nations problem, we think that a settlement of the problem of Indo-China, in which three countries in conditions of unity will settle down as democratic nations, would be to our advantage. So far as the Government of India is concerned, so long as it can perform any duties and it is wanted, or, at least, it is not pushed out, it will continue to do so.

Korea still remains sundered. Thanks to the initiative of the United Nations in 1952 war came to an end, but Korea is still an unhappy land awaiting its freedom. Our views on this question have been expressed in the First Committee; they remain the same.

A few days ago, in asking the General Assembly to inscribe the item concerning Chinese representation on the agenda, we referred to the problems of the Far East [686th meeting]. It would not be doing a service to the General Assembly if we did not point out that it is not possible for this Assembly to perform its functions and that it could never become a United Nations when 600 million people who have a constituted government are excluded from its competence and its purview. In addition, there are many outstanding problems of disarmament and the development of nuclear energy for industrial purposes which cannot be solved without the co-operation of these vast numbers of people.

I have no desire to go into this question of representation, but I should say that we have found that the industrial and economic advances that have taken place there are of some value to us from the lessons they give. In a similar way, the Chinese come to see how we control floods or run factories, or whatever it may be. So this mutual exchange takes place, and we are happy that in spite of political disabilities, some sixty-eight countries, including the Federal Republic of Germany, have entered into trade relations with China. We hope again that world public opinion will soon develop to the extent where we will be able to take a realistic view of the situation and, while in no way subscribing to the form of government or affording approval, we can do what is necessary under the terms of the Charter.

These are the main problems that confront us regionally. But really the problem that is before the United Nations is the problem of human survival, and if this Assembly did nothing beyond making some small advance to halt the race in armaments, if it did something to reverse the engines of war we, would have deserved well of ourselves and of humanity. In this connexion, I do not share the view of the representative of New Zealand, who said:

"The Assembly is now faced with a choice. It is a choice between deceptively simple proposals whose purpose is propaganda, and more complex proposals genuinely intended to bring about a solution." [683rd meeting, para. 152]

Our task is not to allot blame or praise. Our task is to find ways of reconciliation. The world cannot be destroyed by halves; if it is going to be destroyed, it will be destroyed as a whole. War somewhere means war everywhere. It is necessary for us to approach this problem with a degree of independence of mind and also taking into account the consequences of our lack of action in this matter. I make no apology for appealing to the delegations concerned to remember that this disarmament question, whether it be suspension of test explosions or making an advance on the main issue or on the

other issue of the machinery, is a matter which concerns each nation individually. It is not a question of alignments or commitments ; it is a question of world survival.

In addition, we have as a human race a great legacy going back, as far as we know, to the palaeolithic ages. Are we to see all this destroyed because we cannot get over our small prejudices, or are we to make our lives so onerous and difficult by leading to inflations in various countries, by creating this kind of war neurosis in which every country lives under the threat of an explosion somewhere else ? Even more, are we to resort to these engines of destruction, the consequences of which, as I shall point out in a moment, are not even known to the people, though they are known to be very bad, and therefore take upon ourselves the responsibility of making a holocaust not only for the present time, but of making this world into a barren desert, or, rather, not a barren desert, since no one knows what it would be ? It may be that one of the reasons people wish to travel to the moon is because they think they cannot live here.

Therefore, in our submission, the problem of disarmament should be approached more from the point of view stated by the representative of Japan, who said :

“ It is equally the problem of all Member States, and indeed the unending concern of all mankind. Measures to solve this problem cannot and should not be dictated by the tactical and strategic considerations of the great Powers concerned.” [680th meeting, para. 81.]

We are happy to have this emphatic declaration from a sister country in Asia, which has come under the direct impact of radiation. The people and Government of Japan, from their own experience and from a humanitarian motivation, attach great importance to the suspension of nuclear test explosions. I shall deal with these matters a little later, but I should like to say, on this problem of disarmament, which is the problem before us, that it would be entirely wrong for any one of us to be greatly burdened by the difficulties that have arisen, by the deadlocks that face us, or even by party and political alignments, because here, more than anywhere else, we speak for the present and future generations. We speak in the name of the human legacy of the past, and therefore we as a country look to every single nation here, not in order to be against anybody, not in order to be in any other group, not to secure a voting victory, or anything of that kind.

We all know, as the Secretary-General points out in the introduction to his report, that voting victories are of a limited value. The only true agreements are those that have behind them the enormous volume of public opinion in the world, and, what is more, as I said in the case of South Africa, the one vote we want is the vote of South Africa.

Therefore it is necessary that the smaller countries, so-called, should rise to the fullness of their sovereign stature and proclaim the conscience of mankind. It is not that other people do not respond, but they are weighted down by their own difficulties and responsibilities. Those of us who have no bombs to destroy, those of us who have no bases in other countries, those of us who have no concern lest someone should attack us, whether in the name of the Warsaw Pact or of the North Atlantic Treaty Organization, the opportunity is presented to us to add our moral strength, so that the voice of the small man may be a collective and effective voice. We are accountable to ourselves, and we should all ask ourselves whether we have voted on the right side and for the right cause, and I am sure that there can be no two answers to that question.

There are three aspects of this proposal, the details of which I do not propose to deal with because it will come up before the First Committee. The first deals with the cessation of thermonuclear tests. I am sure the General Assembly will not look upon this as a hardy annual. In 1954, in the Parliament of India, we appealed to the world for the suspension of those tests. Our proposals were well received at that time ; indeed, we thought we had very wide support, including the support of the United Kingdom during some six months. In June of last year the Government of India presented its views before the Disarmament Commission, and I am happy to say that the views we presented appeared to be welcomed and we were told that they would be considered. What happened afterwards is not known.

These nuclear tests have gone on from 1945 to 1957 ; I will deal with their history later, but during this twelve-year period there have been 127 nuclear explosions in the world, 86 by the United States, 22 by the Soviet Union and 19 by the United Kingdom. These already constitute a serious danger to humanity.

The representative of the United Kingdom, Mr. Lloyd, told us [685th meeting] that the suspension of nuclear test was not disarmament. I fully subscribe to that. It is true that just because we suspend the tests we do not get disarmament, but I shall ask Mr. Lloyd to bear that in mind, so that when the tests have been suspended he will proceed to the next step. However, you cannot on that basis argue that there should be no suspension which we say would be an initial step in the process of disarmament. It would be a step away from nuclear weapons and from the idea of mass destruction, a step towards the laying aside of arms.

There are various other reasons. It was said some years ago that there were only two countries in the world which had those weapons and that therefore it would probably be easier to come to some arrangement. Now there are three countries, and next year there may be four, five or six. The area of potential destruction is being extended, and the problems of control are becoming more and more difficult.

Therefore we want to submit to this General Assembly that there should be some method of suspending these tests, because after all, if after a period of suspension no progress at all was made in the lowering of tensions—and we agree with the representative of Ireland [682nd meeting] that what is required is a change of outlook and feeling in the world—it would be possible to resume them. We cannot, of course, deal merely with sentiment; we have to go into operational matters which have a bearing upon it.

There is a vast degree of agreement on these matters, and I think it would be wrong of the General Assembly not to pay its tribute to the Sub-Committee of the Disarmament Commission which has worked laboriously for some time, though without much success as far as results are concerned. As the representative of Lebanon has said, not a gun, not a bomb nor any other instrument has been thrown away. But the Sub-Committee did make very great progress; the very fact that the countries which have unfortunately divided themselves into two camps were able to sit down together and discuss these matters was in itself a great progress.

I propose to deal briefly with three aspects of this question. It is the intention of my delegation to submit to the General Assembly a suggestion to the effect that each of the countries now capable of carrying out test explosions should inform the Secretary-General of its willingness to suspend them. No time limit should be specified, because that would amount to licensing them.

We recognize the apprehension that is felt in some quarters about non-detectability and about evasion, and we are willing to admit that there is an arguable case on those grounds, though we do not accept it ourselves. Our advice leads us to the conclusion that it is possible to detect explosions and to avoid evasions; scientific advance is so great today that it would be very wrong for anyone to say that science cannot do this or that if it is faced with the task.

It is our view, since such doubts are entertained, that the whole problem of the suspension of nuclear tests and the prevention of evasions is closely linked with the subject of inspection and control, which should be carried out by a body of people who would be selected in equal numbers from those holding differing points of view, who should then invite other countries which are not nearly so committed on this matter, so that the whole problem could be looked at technically in that way.

We do not see how a suggestion of this kind can be regarded as anything but reasonable. The time has come, if disarmament is to be achieved at all, in view of the present state of distrust in the world, to realize that it is not possible to achieve it without the machinery of inspection and control. If we are to go on continually arguing whether we should disarm first and inspect afterwards or inspect first and disarm afterwards we are not likely to get anywhere, but if it is possible to throw the whole of this matter and the purely practical proposals connected with it into the hands of competence people, experts in this case or perhaps political leaders in other cases, for there are those who have not taken sides in this matter, it is possible that other ideas will be produced which will make inspection possible.

This was the way we found successful in other matters, in Korea, in Indo-China, even in Egypt; therefore if there were some sort of machinery for opening a middle way we might eventually achieve the suspension of nuclear explosions. On the other hand, if you are going to go on saying that because one side proposes suspension and the other does not, and therefore the matter should not be pursued, we shall not get anywhere.

I have referred to the number of explosions. I also wish to take this opportunity even though it may be slightly anticipating the discussion in the First Committee, to say that nations and peoples should be careful about being led astray by what we regard as fallacious arguments about the kinds of bombs that will humanely kill people or will not kill them at all.

We are told about clean bombs. This is not the time to argue it scientifically, but what are these clean bombs? Clean bombs are fusion weapons detonated in the air, in the stratosphere or somewhere, at very great heights, and therefore they do not make for secondary radiation because they do not churn up the earth. But how are they triggered? By fission bombs of the Hiroshima type, and even those triggering bombs are four-and-a-half times as powerful as the Hiroshima bomb. Where does this radiation go? Any idea of a clean bomb is like the idea of humane slaughter—it does not exist. There can be no kind of clean destruction—it is like telling someone “I would like to slit your honourable throat”. While this idea may be honestly put forward, it is something that will lead us into a plain lie. A clean bomb is a bomb that still releases radiation four-and-a-half times greater than the Hiroshima bomb. (I think I am right about it, that was a 10-megaton bomb, and therefore there is no question of its being harmless.)

Here I think the best authorities are the scientists of the United States; in no country has there been so much study about these matters, and fortunately for us there is freedom of information which makes the results available.

Before the United States Congress, in June of this year, evidence was given by geneticists. What did they say? Here is a quotation from the report:

“Their general conclusion was that any amount of radiation could damage reproductive cells, thus causing mutations in the hereditary pattern. In genetics, they warned, there is no such thing as a ‘safe dose’ of radiation. They suggest that they might have under estimated previously the genetic damage caused by radiation.”

Professor Crow of the University of Wisconsin, who was the first witness, said:

“We can be sure that several hundreds of thousands, or tens of thousands, or perhaps more persons will be diseased or deformed or will die prematurely or be otherwise impaired as a consequence of fall-out if the present rates of testing continues.”

I am not going to read all this material because it can be read somewhere else. But it is important for us to realize that an appeal was made in this country by no fewer than 2,173 atomic scientists, who have told us the following:

“We, the American scientists whose names are signed below, urge that an international agreement to stop the testing of nuclear bombs be made now.

“Each nuclear bomb test spreads an added burden of radioactive elements over every part of the world. Each added amount of radiation causes damage to the health of human beings all over the world and causes damage to the pool of human germ plasma such as to lead to an increase in the number of seriously defective children that will be born in future generations.

“So long as these weapons are in the hands of only three Powers, an agreement for their control is feasible. If testing continues, and the possession of these weapons spreads to additional Governments, the danger of outbreak of a cataclysmic nuclear war through the reckless action of some irresponsible national leader will be greatly increased.

“An international agreement to stop the testing of nuclear bombs now could serve as a first step toward a more general disarmament and the ultimate effective abolition of nuclear weapons, averting the possibility of a nuclear war that would be a catastrophe to all humanity...”

There is a great deal of evidence in this way. We fully subscribe to the idea behind the Belgian suggestion [685th meeting] that more information should be made available through the Assembly channels, provided this idea of affording information does not act as a measure of delay in finding solutions. There is no doubt that we have now enough information, whether it be from the Federation of American Scientists or from any



other part of the world. The scientists say that "rapid advances in international political arrangements are necessary if disaster is to be avoided". The test ban could be monitored by a United Nations monitoring agency.

Here I would like to state—and I shall elaborate on this in the First Committee—that in our country, while we do not make and have no intention of making destructive weapons, there has been a considerable advance in atomic science. Hundreds of scientists are working in this field; there are reactors made in India with Canadian assistance, and various uranium metal processing plants, and so on. Our feeling is that unless there is control now, unless this thing is given up now, the time will come when materials that exist in ordinary plants will, irrespective of all agreements, be used for other purposes. The scientists go on to say :

"The long record of failure in disarmament negotiations has left the world weary of pious talk on this subject and sceptical of the possibility of ultimate control. We now need this positive and constructive step of arms limitation....".

Therefore, the first thing that we would like to ask for is that there should be a suspension of nuclear tests, and we offer as a constructive suggestion the idea that there must be some provision against the misuse of such suspension by others. If this can be discussed, even in the Disarmament Commission, we are bound to advance towards solutions. And if this Assembly did nothing else except decide on or recommend the suspension of these tests, it would have taken a remarkable step towards reversing the course of armaments.

The second thing that we ask is this. At the present time, there is a conflict between those who say that no more nuclear fuel should be used for making arms, and others who say : yes, no more nuclear fuel, but no more use of arms. As far as the United Nations is concerned, as early as 1946 it was laid down that our aim was the prohibition of these arms [resolution 41 (I)]. There is only one thing to do with weapons of mass destruction and that is not to have them. I think it is possible, given the freedom of coming together, given a plateau of agreement—on which the parties seem to meet, but again they have been torn asunder by clouds of suspicion—given a very large area of agreement, to set up a scientific and technical commission to recommend to the Disarmament Commission an adequate system of inspection arrangements in all the territories where this is necessary.

From our study of this problem, we think it is possible. We will never get anywhere by what President Eisenhower has called the two atomic colossi speaking against each other and glaring at one another. But if it were possible to have common inspection, neither of these great and powerful countries could be expected to submit to an inspection in which they did not take part. No one suggests that. They should take part as the principal parties, but there would be something to keep them together.

I think that a great many problems can be solved by arrangements of this kind. Therefore we would suggest, when the time comes, the setting up of a commission for this purpose, composed of equal numbers of representatives of the two differing views, and the representatives of other States. We do not subscribe to the idea of appointing an arbiter in this matter; one might be chosen by agreement between the two sides. The commission could deal with questions such as the time from which the future production of fissionable material in all countries would be available only for peaceful purposes; an undertaking to refrain from the use of thermonuclear bombs; the dismantling of stocks for other purposes.

The third aspect of disarmament, on which we have submitted a draft resolution before the First Committee, is that there should be some change in the composition of the Disarmament Commission and its Sub-Committee. That Sub-Committee was set up on the initiative of the Indian delegation in 1953, and the hope at that time was that the five countries composing it, all competent and capable and sincere in their devotion to peace, would be able to work round the table and not in two camps. But as it happened—and it has received much publicity—it has become largely the reflection of two points of view. Nevertheless, the progress they have made is a very considerable contribution which can be utilized hereafter.

We would like at this point to say that on 16 July 1945, the Americans exploded at Alamogordo in New Mexico the first nuclear bomb, before the Hiroshima bomb. The atomic age had begun. On 4 October, 1957, the Soviet scientists sent out a satellite into what is called interspace. Now the interplanetary age has begun.

From 1945 to 1957, humanity, the nations, and the Governments, while they struggled with these matters, made no progress and gave no recognition that we were dealing with a different problem from what we faced before. Great as suspicions may be, there can be no more pregnant danger than the actual consequences themselves. It is for us to reconcile these two matters. Humanity's intelligence, its inventiveness, its capacity for adaptation, all of this has advanced, but human wisdom has not kept pace. The imaginativeness of mankind, the consideration of the future of posterity, or the value of our inheritance, this is the conflict that faces us. Unless mankind is able to reconcile technical advance with humanity and wisdom, then there will be people who have no vision, and those who have no vision must perish.

We think that we should take account of what has happened, not in terms of fear, not in terms of saving face, not in terms of national pride, but recognizing that we have begun a new interplanetary epoch. Just as we threw away the opportunities of control because of our difficulties in eliminating the consequences of atomic discoveries, there is no doubt that science, while it is beneficial to mankind, on the one hand, is equally capable of doing much harm.

This is the time, then, to come to an agreement so that there will be a sharing of knowledge where knowledge is free and where humanity is not divided by domestic walls. That is the only reasoning that we can follow and we, as a small, weak, and, if you like, an inexperienced nation, appeal to the atomic colossi, as they are called by President Eisenhower, to deal with this matter in this way. The time has come to recognize the changes that are taking place and to move towards each other on this plateau of agreement that has already been reached.

Those of you who have carefully read the debates of the Sub-Committee of the Disarmament Commission will find that there has been considerable agreement. I think it is only right to pay a tribute to the great contribution made by Mr. Harold Stassen, not by any formula, but by the atmosphere of optimism he has brought with him. Nothing can be done without faith in the objective, and at present, if you think you are not likely to get agreement, then there will be no agreement. On the other hand, we cannot ignore the difficulties that exist, and that is why we have made this practical suggestion.

Speaking before this Assembly four years ago, the President of the United States said in regard to surprise attacks and consequences :

"But for me to say that the defence capabilities of the United States are such that they could inflict terrible losses upon an aggressor, for me to say that the retaliation capabilities of the United States are so great that such an aggressor's land would be laid waste, all this, while fact, is not the true expression of the purpose and the hopes of the United States"—and I would add, the United Nations.

"To pause there would be to confirm the hopeless finality of a belief that two atomic colossi are doomed malevolently to eye each other indefinitely across a trembling world." (That is what has happened in the Disarmament Commission up to now.) "To stop there would be to accept helplessly the probability of civilization destroyed, the annihilation of the irreplaceable heritage of mankind handed down to us from generation to generation, and the condemnation of mankind to begin all over again the age-old struggle upward from savagery towards decency, and right, and justice. Surely no sane member of the human race could discover victory in such dissolution. Could anyone wish his name to be coupled by history with such human degradation and destruction? Occasional pages of history do record the faces of the 'great destroyers', but the whole book of history reveals mankind's never ending quest for peace and mankind's God-given capacity to build." [470th meeting, paras. 95 and 96.]

If I may say so with respect, this is an excellent contribution to human knowledge, which could not have been better phrased.

Before I leave this rostrum, I wish to repeat once again that when the time comes to take some step towards disarmament, we appeal for consideration for any proposal irrespective of the source from which it may come or of the fact that it does not come from the great Powers, with which we constantly keep in consultation and for whose wisdom and experience we have great respect. We think that this is not a matter that concerns only a small group; it concerns the whole of humanity.

Today, it is possible to stop these explosions. We may be told that some explosions have taken place inside a mountain and there is no way of detecting them. The answer is that in every country some burglars escape, but we do not abolish policemen for that reason. There may be an evasion somewhere. By and large, we would stop this evil. We would proclaim to the world that we no longer believe in the thermonuclear gospel. We believe in co-operation. Once there is suspension of these explosions, co-operation becomes inevitable and the knowledge that is at the disposal of any one nation should be at the disposal of the other. The barriers that we have built not only in trade but in science and understanding between races and peoples will begin to disappear.

I make a fervent appeal to the representatives here that we should not depart from this Assembly without proclaiming to the world that the nations of the world, large and small, are conscious of a rising feeling in the world, and let us not forget this. Parliament after parliament and people after people all the world over are faced with the same situation. We have been told that millions of human beings to be born and other forms of life will undergo mutations. Unknown diseases will creep over the earth. The civilization we know will be destroyed. But no Government, no people, will take the right decision merely because of the fear of the consequences. We have a duty by our legacy. We have a duty by the present generation. The Foreign Minister of Belgium said that the present generation was not responsible for the evils around the world. Nobody says it is. But the present generation will be responsible for the destruction that will be wrought in the world if it does not cry halt.

TEXT OF SHRI V. K. KRISHNA MENON'S SPEECH ON THE REPRESENTATION OF CHINA IN THE UNITED NATIONS ON 23RD SEPTEMBER, 1957.

**Mr. Krishna Menon (India):** The case before us arises from a communication made by the Government of India on 13 September to the Secretary-General [A/3663] asking for the inclusion in the agenda of this session of an item entitled "The representation of China in the United Nations".

I should like at this moment to ask the Assembly's indulgence to draw particular attention to what exactly we are discussing, so that it may be possible to argue this case on its own merits.

The issue before the Assembly is the inclusion of an item. When my delegation was asked to appear before the General Committee, we informed the President and the Committee that we had no intention of discussing the merits of this question. There was no proposal either to include a representative or to exclude a representative, or whatever the conclusion should be. We are therefore discussing whether there is a case for discussing this item, and I think it is agreed that one of the reasons given each year for not including this item is that it divides the General Assembly.

It is a very important question and one on which Member States have different views. That in itself serves as an argument for discussing it. That is to say, there is no difference of opinion with regard to the importance of this issue, and the objection has been raised that if the discussion is not timely, it might divide the Assembly. I submit that if anything divides the Assembly it will be any decision that is reached in this matter; and we have not reached a decision.

In our opinion, it will be very wrong for the General Assembly to avoid discussion a matter of such great importance, a matter which concerns the representation of a country of 600 million people, one of the founder Members of the United Nations. There have been questions as to the correctness of this representation, especially in view of the outstanding issues that confront the world at the moment, such as disarmament peace in the Far East, etc.

We are fully conscious of the very strong views of the United States on this question and we have no desire to anticipate what would be the result of any discussion that took place. When we submitted this item to the General Committee we were entitled to expect that, irrespective of their views, delegations wedded to the idea of freedom of discussion, to the idea of looking at both sides of a proposition, able to make up their own minds or to register the decisions of their Governments, would permit free discussion of the question. Instead of that, we have before us a recommendation in the report of the General Committee in the shape of a draft resolution with two legs. I submit that the procedure of the General Committee is entirely out of order.

The General Committee has taken upon itself to supersede the decisions of the General Assembly ; it has tried to bypass the Assembly to decide for the Assembly. The Committee has no such power. The General Committee is only a business committee which tries to arrange the work of the Assembly. The rules are very clear in this matter.

Under rule 40 of the rules of procedure, "the General Committee shall, at the beginning of each session, consider the provisional agenda, together with the supplementary list, and shall make recommendations to the General Assembly with regard to each item proposed, concerning its inclusion in the agenda, the rejection of the request for inclusion, or the inclusion of the item in the provisional agenda of a future session." So all the General Committee can do, when an item is submitted for discussion, is to make a recommendation saying that it either accepts or rejects.

If the Committee had rejected the item and said it did not want it placed on the agenda, that would have been entirely in order. But to make a recommendation to the Assembly that the item should not be discussed amounts to gagging the Assembly altogether. This is something that the General Committee has no right to do.

I now come to the second part of the recommendation. I am at the present moment keeping away from the merits of the question. If we discuss the merits, I reserve the right to reply, since I am the one who requested the inclusion of the item in the agenda. Paragraph 2 of this draft resolution states : "Decides not to consider, at its twelfth session, any proposal to exclude the representatives of the Government of the Republic of China or to seat the representatives of the Central People's Government of the People's Republic of China". Why should anybody anticipate what will be proposed ? No one has proposed either seating or excluding anybody. It is quite possible that there could be other proposals. In fact it was the view of my delegation that having regard for the cleavage of opinion, having regard for the one consideration that we should all have in mind—discussing any question—would be the way to find a solution. Other proposals have been put forward that might have led to a solution. Therefore saying that the Assembly "decides not to consider at its twelfth session" such and such an item, amounts to telling the Assembly what it can discuss and what it cannot discuss. That is entirely *ultra vires*. The General Committee has usurped the function of the General Assembly. The General Assembly is the master of its own procedure. No doubt the General Assembly can accept and adopt the decisions of the General Committee, and in that way it can establish its sovereignty. But establishing its power, its authority in that way, is very different from a sub-committee, a steering committee, displacing the Assembly in the consideration of these items. So when it says that it decides to reject the request of the Government of India, the General Committee is making a totally illegitimate recommendation and I am entitled to ask you to revise that decision. The amendment therefore proposes that the General Assembly should accede to the request.

When I submit the amendments, I have to a certain extent to go into the question of merits ; not merits as to whether there should be an alteration in the representation or what the form of that alteration should be, but only to point out that it is merely a subject of sufficient importance for us to consider it.

Year after year the Government of India has requested the inclusion of this item in the agenda—the first time in 1950, and we are now in 1957. Now, is world public opinion to be told that year after year we come here and say, "Not this year, but next year" ? This does not seem a very dignified way for the Assembly to deal with a very major issue. Therefore, when we ask that the words "accede to" be substituted for the word "reject", we are not saying that any country that is represented here should change its views in regard to this representation or in regard to the Government or the State of China, but we are merely arguing that this matter is of sufficient importance to merit our consideration. When that consideration has been given, delegations may modify their views to postpone consideration of the item, or whatever it may be. But for the Assembly to be told on important questions, "No, we shall not discuss it", for somebody to prescribe beforehand whether or not we should discuss an item, amounts to treating the Assembly as an undergraduate organization.

Representatives of many countries here vote for the inclusion of items on which they have very strong views, and later they say that the Assembly should not consider them. The United Kingdom is one. Steeped in the traditions of free discussions, they say that the Assembly has no right to discuss the question of Cyprus because it is a matter of domestic jurisdiction. But they do not object to its inclusion in the agenda. The same thing applies to the Netherlands. Now if all these countries can discuss matters directly affecting what they not regard as their sovereignty, but they permit discussion, then what

about a matter which appertains to a founding member of the United Nations, a country with 600 million people with whom some of us—all Members of this Assembly—have very close relations, and with whose membership in this Assembly our security, our future, our relations are bound up to a certain extent in so far as we want to see in the world a good deal of co-operation.

In this connexion, I should like to point out that the Charter itself begins with the words, "We the people of the United Nations". Therefore we are taking into account the people, the 600 million in China. Is it more important to consider whether their government is right or wrong, or whether the voice of these 600 million people is being heard? It may be quite arguable that that Government is not the kind of government the Chinese people should have; in that case we should know more about it. We have no right, so far as I know, to exclude consideration of a State because of its internal character; there are States here with different internal characters of government—economic or political. Therefore the issue before the Assembly is the consideration of this item. I submit that not to consider it is to shut our eyes in the hope thereby that the world will become dark. If we shut our eyes, we remain ignorant and avoid a very important issue. It is not sufficient to say that China does not exist or that this problem does not exist. It is there and we ask the Assembly to consider it.

There are many countries here who recognize China, who recognize the authorities who are now in Taiwan. There are two different points of view. Besides, the Assembly has an obligation. At its fifth session the Assembly adopted a resolution. Questions arose in regard to the representation of countries where there were doubts as to which Government was to represent them. How to recognize a Government is a pretty well-known practice in international affairs. I will not go into that unless, in the course of the debate, speakers go into the merits of the question.

In 1950, when we first submitted this resolution—it was also at the fifth session—the Assembly which was considering not the question of China, but the question of disputed representation, adopted resolution 396 (V) of which operative paragraphs 1 and 2 read as follows:

"1. Recommends that, whenever more than one authority claims to be the government entitled to represent a Member State in the United Nations and this question becomes the subject of controversy in the United Nations, the question should be considered in the light of the Purposes and Principles of the Charter and the circumstances of each case;

"2. Recommends that, when any such question arises, it should be considered by the General Assembly, or by the Interim Committee."

This Committee no longer exists. There is already a decision in this matter. It was said in the General Committee that, although this resolution had been adopted three times—this year, last year and the year before—it had been disregarded. The fact that the General Committee has made a mistake three times and the Assembly has endorsed it three times does not make it right. The rule is that, when the Assembly adopts a resolution and it has to be rescinded, then there must be a clear-cut majority. Now much has been made of the fact that the Assembly says it only "recommends". I think that is a normal form for a resolution: the Assembly makes recommendations to itself. If it will not accept its recommendations, who else will be expected to take notice of them?

I say that in refusing to discuss this item, we are disregarding the previous decision of the General Assembly. It is not as though this resolution was adopted before the present issue arose. It was adopted in 1950. The present Government of China proclaimed itself an authority in 1949. It was recognized by various countries, including our own, at the end of that year. In 1950 various other countries recognized it. Therefore, this resolution was adopted in the face of facts that are now before us. It is not as though it did not apply in that way.

For that reason, we feel that the General Committee's recommendation, so far as paragraph 1 of the draft resolution is concerned, should be altered, and altered on the merits, because, whatever decision we may reach, I think we should follow the principle laid down by the great Voltaire when he said, "I disagree with everything this man says, but I stand for this right to say so". That should be our position. Let those who are against any alteration come forward in the debate with a draft resolution to that effect. We might object to it, but we could not challenge the morality or the political rights of voting on that draft resolution.

Therefore, paragraph 1, on the merits, is not acceptable to us. It ought to be altered, and the request made by the Government of India on 14 September, and the reasons set forth—as considered by the General Committee and rejected—should now be upheld. It is open to the General Assembly to say, by majority vote, that it should be considered.

It may be that there are many countries here whose relations with this particular country are rather remote and who probably do not want to become involved in this controversy. I would submit that for them to cast a positive vote against it would be an action that goes against the whole idea of free discussion. Those whose minds are not definitely made up about it should hear what is to be said about this matter. After all, if after the discussion the majority still want things to remain as they are, then they will remain as they are. Discussion cannot do any harm. Therefore, I move the first amendment ; that is, that the General Assembly should accede to our request and permit this item to be placed on the agenda. I hope that the majority will vote for it:

The second amendment deals with paragraph 2 of the draft resolution. I submit that this paragraph should be deleted, because it is *ultra vires* of all the rules of procedure. First of all, it anticipates what is going to happen. It prevents us altogether for a whole year from considering a matter. It cannot work, because the Assembly would be adopting a resolution which it would have to break, inasmuch as in a few days the Credentials Committee will report and, resolution or no resolution, every representative is entitled to discuss the report of that Committee. In that report the same question will appear. Therefore, we would be adopting a resolution which cannot be honoured. I think it is not very dignified for the Assembly to adopt a resolution, in the knowledge that it cannot be observed. However, we shall be discussing it again ; we shall discuss it every time the issue comes up. That has been the experience in the Assembly, and the Assembly makes itself rather small in its own eyes by doing this sort of thing.

Then to say that we should take no decision which alters the representation—I have not said it should be altered, I have only said the question should be considered—is to anticipate the findings of the Credentials Committee which is a judicial body and which is not concerned with predilections one way or another ; we should not adopt a resolution which tells the Credentials Committee what to do. For that reason also the draft resolution is *ultra vires*.

The fact that large numbers of people may vote for a proposition, rejecting or accepting it, does not by itself alter its inherent merit. I have carefully and purposely refrained from going into the merits of this question. I request the General Assembly to accede to this one simple request, and that is, that a complex matter of this kind, a matter in which not only the peoples of China, but millions of others are involved, should at least be discussed.

If the General Assembly is a forum for discussion—that is what the Charter says—then I think it fails in its purpose if this question cannot be discussed. Therefore I am making an appeal to the Assembly to accept our amendment in regard to paragraph 1 of the draft resolution and to delete paragraph 2 because it is *ultra vires* of the rules of procedure ; it is a challenge to the Credentials Committee ; it anticipates the decisions of the Assembly and the Assembly's powers of decision.

This draft resolution should be presented after the item has been included in the agenda, and no one who wants a particular conclusion—as has been the case in past years—is prohibited from making proposals to that end. The item could have been placed on the agenda ; this draft resolution could have been submitted ; the discussion would have been shorter and more orderly, and if the draft had received the required votes, it would have been adopted.

Therefore, the Assembly should reject the present procedure. It should allow the discussion of this item just as it has allowed the discussion of other items with which the majority is in disagreement. It has happened that items have been placed on the agenda and then the Assembly has rejected the proposals put forward by those who requested the item ; it happens here year after year. That is all we are asking in this case.

I reserve the right to reply in this question if it should be necessary.

TEXT OF SHRI ARTHUR S. LALL'S SPEECH ON NUCLEAR TESTS  
ON 19TH NOVEMBER, 1957

**Mr. LALL (India) :** At this juncture the Indian delegation is referring only to its draft resolution [A/L.232] on the suspension of nuclear tests. The Indian delegation has already introduced this draft resolution to the Assembly [716th meeting], and I do not propose to cover the ground which I have already covered.

We do continue to feel, however, that at this rather late juncture in our disarmament discussions the Assembly should consider with great seriousness this question of nuclear tests. I wish in this connexion to refer to a statement made by Professor Otto Hahn, the German scientist who, as we all know, has been a leader in the field of nuclear science and its development. This is a Reuter's report of what Professor Otto Hahn said at Vienna on 13 November:

“Professor Otto Hahn, the German scientist who helped to discover nuclear fission, has warned that thousands of persons are dying every year as the result of radio-activity from nuclear tests.”

This is a quotation now from his statement :

“There cannot be any doubt that already thousands of people are dying yearly as a result of radio-active rays from experiments with nuclear material.”

Can any Member of the Assembly, in the face of this statement by a scientist whose reputation is beyond question, vote against the cessation of nuclear tests at once ?

We appeal earnestly to the Assembly to accept the Indian draft resolution. The Indian draft resolution has written into it full provisions for the monitoring of tests, full provision for seeing that there is no evasion of any part of the agreement to suspend tests.

Not only is this the view of scientists, but there is a new society in this country whose members are persons who cannot but command the respect of a group such as this Assembly. It styles itself the National Committee for a Sane Nuclear Policy. It includes names such as Mr. Clarence Pickett, Mrs. Eleanor Roosevelt, Mr. Norman Thomas, Dr. Paul J. Tillich and many others of that character, and this is what they say to the American people :

“As it concerns nuclear testing, America can say : That because of the grave unanswered questions with respect to nuclear test explosions—especially as it concerns the contamination of air and water and food, and the injury to man himself—we are calling upon all nations to suspend such explosions at once.”

Is the General Assembly going to close its eyes to the growing world feeling for the suspension of tests, and close its ears to the words of scientists who have nothing to lose or gain from the suspension of tests but who tell us that yearly thousands of persons are dying because of the tests which have already taken place ? We know perfectly well, sitting in this Assembly, that if tests are not suspended next year they will be undertaken by an increasing number of countries in the world, and that it is futile to consider that testing will continue at its present rate. The rate of radio-activity from tests is bound to increase and might well increase rapidly.

In these circumstances, we would appeal again to this Assembly to adopt unanimously the Indian draft resolution which calls for the suspension of tests and which has built into it full provision for control and inspection.

TEXT OF SHRI J. N. SAHNI'S SPEECH ON THE BUDGET ESTIMATES  
FOR THE FINANCIAL YEAR, 1958, IN THE FIFTH COMMITTEE

We have listened with great interest to the views expressed by several of the distinguished delegates and join them in our appreciation of the very valuable statements made by the Secretary-General and the Chairman of the Advisory Committee on Administrative and Budgetary Questions. My delegation has considered with great care the Budget Estimates for 1958 and the Advisory Committee's report on these estimates and on the Working Capital Fund. We appreciate the new form in which the Budget Estimates have been presented this year and have no doubt that in due course this form will not only

simplify the study of the budget proposals but will also be conducive to the study of the major aspects of the budget. We appreciate the very great care bestowed by the Advisory Committee on Administrative Questions in studying the Budget Estimates and in drawing up their several proposals.

2. In considering the Budget Estimates for 1958, we share in full measure the concern expressed by the Advisory Committee and voiced by several of the distinguished delegates in this Committee at the mounting bill of expenditure which the budgetary figures indicate from year to year, and more particularly the increase of nearly 4 million dollars in the estimates of expenditure for 1958 over the appropriations of 1957.

3. As has already been stated by some of the distinguished delegates in this Committee, the annual budget of the United Nations is not the only burden on the exchequers of the participating countries, and there are several regional and specialized commitments which many of the countries have to meet additionally. Over and above, there are commitments which some of the countries have undertaken, voluntarily perhaps, but nonetheless of a financially burdensome character, some times in response to the call of duty towards this family of nations.

4. As this Committee is well aware, my own Government, for reasons that are quite well-known, has had to undertake quite heavy and expensive responsibilities, in the past in respect of Korea and Indo-China, and currently along with the latter, in respect of the United Nations Emergency Force in the Suez area.

5. I admit that India is a large country but it is certainly not a rich country. It is confronted today with a big programme of its own development which in itself places a very heavy burden on its resources. Apart from that, it has additional difficulties in finding the requisite amount of foreign exchange to meet some of its own very vital requirements. In spite of this, India has been always willing to contribute its full share in furthering the objectives and purposes of the United Nations. But, for the reasons I have stated, our concern is very much greater than that of some of the other countries more fortunately placed, regarding this rising bill of expenditure. We are naturally in fullest sympathy with any proposals that this Committee might consider and the General Assembly approves to bring about a substantial reduction in the total expenditure of \$54,782,500. The Advisory Committee has recommended a reduction totalling \$1,052,800, a recommendation which we hope will be given due weight and consideration by this Committee. In suggesting this, we are not unmindful of the various steps the Secretary-General has already taken to bring about valuable economies or of the point of view he has expressed, namely, "economy is also and primarily a question of the number and scope of programmes that member Governments ask the United Nations to undertake."

A suggestion has been made by some of the distinguished delegates that it may be very desirable to study the various sources of economy which can be effected by member countries and their delegations agreeing to reduce in quantum some of the secretarial work which is now required to be done, at the General Assembly and at the conference level, in respect of supply of summaries, documents, translations, etc. While practical suggestions need to be carefully studied, my delegation feels that all such suggestions should be given very serious consideration because a careful pruning of avoidable demands on the Secretariat, and a stream-lining of Secretarial activity could by itself result in substantial economies in staff and material. In this member nations can help very considerably.

6. The Secretary-General has informed us that he is tapping another valuable source of economy, namely, a rationalization of the pattern and programme of conferences without going into the details of the planned programme at this stage. My delegation feels that while rationalization of the dates and venues of conferences to enable the maximum utilization of available staff will help to reduce overall expenditure, a great deal more can be done as a step towards economy in reducing the number of these conferences, or wherever possible distributing some of their work on a regional basis. This is certainly a matter which this Committee could recommend to the General Assembly.

There is, however, one point of view expressed in this Committee by some of the distinguished delegates with which my delegation does not wholly agree. We certainly subscribe to the general principle that conferences of international bodies should so far as possible be based at the headquarters directly concerned. At the same time, we do feel that contingencies may arise, such as, for example, in Article 28, paragraph 3, when the holding of such conferences away from the headquarters should not be over-ruled or overlooked



7. It is not the intention of my delegation, Mr. Chairman, to make any detailed observations regarding the economies that have been suggested or may be suggested in respect of personnel. We would like to await in this respect the report promised by the Secretary-General on the structure of the Secretariat at the top level and the emoluments that are to be paid to officers at this level. At the moment, we are also not certain as to how many posts there will be in the U. N. Secretariat, depending on the recommendations of the Advisory Committee which are accepted by us and the Assembly. We do, however, feel that if some of the steps suggested around this table are implemented, it should be possible to substantially decrease some of the additional requirements in personnel.

8. Mr. Chairman, a great deal has been said about the Department of Public Information. The Fifth Committee has a special responsibility in this respect since, as the Chairman of the Advisory Committee has rightly pointed out, this Department "does not directly derive specific programme directives from any legislative organ" and since, as the Chairman further points out, "it would be difficult to undertake an appraisal of 'the work and the effectiveness of the results achieved' in the information field without considering the related organizational and administrative questions." At the proper occasion my delegation will address itself to the discussion of heads of expenditure, pattern of organization, and the orbits of activity of the Department of Public Information. We however, fully agree to the principle that effective steps should be taken to make a thorough and regionwise appraisal of the activities of this Department. We of the under-developed countries have been feeling all along and even feel more so now that while no harm would be done in progressively curtailing the expense on some of the activities of the Department of Public Information in the advanced countries where a great amount of awareness and knowledge already exists of the work of the United Nations and where the media of public information are already highly developed, a greater emphasis should be laid on increasing and enlarging the activities of the Department where people are still comparatively uninformed and where the media of public information are still not well-developed. The distinguished delegate of the United Kingdom wondered, and quite rightly, "if centres in some of the great capitals such as London, Paris or Washington, are not really duplicating a very extensive range of similar information facilities provided by Governments and voluntary organisations." Without at this stage, going into the merits of the proposal, it is a thing to be considered whether it is more important to have additional television facilities at the headquarters of the United Nations at an expense of \$1,60,00 where a large population of the country through available publicity media has a constant television view of the activities of the United Nations and where large numbers of people normally visit the United Nations every day or to have a live view of its activities, or to have audio-visual material, more literature in the various regional languages, to educate and inform masses of people in the remote areas of the globe, who are still unaware even of the name of the United Nations. A pattern in terms of priorities and values has to be laid down, both in the light of past experience and future needs.

9. It is in this context that the regional distribution of information offices will have to be studied, as also the wide disparity that exists in respect of expenditure between the centres located in some of the advanced countries and those located in some of the under-developed areas. It almost seems as if the general rule has been of greater expenditure and more intensive activity in areas of least need and less expenditure and comparatively very much less activity in areas of the greatest necessity. (FIGURES).

10. We have no doubt that in view of this special responsibility in this respect the Secretary-General himself would be fully conscious and aware of this continuing imbalance and would desire steps to be taken to remove it. My delegation, therefore, is in full agreement with the view expressed both by the Chairman of the Advisory Committee and the Secretary-General that a full appraisal should be undertaken of information programmes and activities "in the light of which the Assembly's budgetary decisions can in the future be more rationally taken." We support the view expressed by the Secretary-General that an Advisory Committee should be set up on the lines of other similar advisory committees to undertake this important task. But before such an Advisory Committee which we assume would be a permanent body, comes into being, we would support the appointment of a Special Committee (in the words of the distinguished U.S.A. delegate, "The problem has to be studied from an expert and also from a regional point of view, and it would therefore, be essential to have a larger Committee".) It should be large enough to be adequately representative of various regions, more especially the under-developed regions and consist of experts who are representatives of their Governments and have particularly specialised in the fields of mass contact and mass information. As we have pointed out, this Committee will have to take into consideration such important basic questions as the relative importance of activities in terms of various regions the need for avoiding duplication where sufficiently developed media of information already exist and the development and

of activities in areas of greatest necessity. It will have also to consider so far as under-developed countries are concerned the relative usefulness of available media, the choice of regional languages and, what is of utmost importance, the establishment of closer liaison with non-governmental organizations where such organizations exist and the creation of incentives for the formation of such organizations where they do not exist. Keeping all these factors in view, we have no doubt that the Secretary-General would himself agree that a committee of this character would be extremely useful and helpful.

12. My delegation, Mr. Chairman, fully supports the suggestion made by the Advisory Committee and accepted by the Secretary-General that in view of the global distribution of United Nations offices or missions and to keep organizational and administrative problems under constant review within the Secretariat and to avoid any decrease in efficiency or wasteful expenditure, it would be desirable to establish a small special staff at the headquarters for the purpose. We have no doubt this recommendation will be accepted by this Committee and the General Assembly and that necessary resources will be provided for its implementation.

13. In conclusion, Mr. Chairman, my delegation would like to take this opportunity to pay our tribute to the Secretariat staff of the United Nations whose output of work has been of such uniformly high standard and who have had to bear the strain of increasing activity resulting to some extent also from increased membership. We would also like to express our great appreciation of the distinguished work of the Secretary-General and in doing so we appreciate particularly his genuine concern to bring about effective economies in expenditure and his anxiety at the same time to maintain a high standard of efficiency in implementing his obligations to the member nations.



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